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LEGISLATIVE HISTORY

Public Law 275--78th Congress

Chapter 148--2d Session

S. 1647

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DIGEST OF PUBLIC LAW 275

BONDING EMPLOYEES. Provides that the payment and acceptance of the annual premiums on corporate surety bonds shall constitute compliance with the requirements of present law for renewal of bonds by U. S. civilian and military personnel.

INDEX AND SUMMARY OF HISTORY ON S. 1647

January 15, 1944	S. 1647 introduced by Senator Walsh and referred to the Senate Committee on Naval Affairs. Print of the bill as introduced.
January 21, 1944	H. R. 4030 introduced by Rep. Vinson and referred to the House Committee on Naval Affairs. Print of the bill as introduced. (Companion bill).
February 2, 1944	Hearings: Senate, S. 1647.
February 3, 1944	Senate Committee reported S. 1647 with an amendment. Senate Report 676. Print of the bill as reported.
February 15, 1944	Discussed and passed Senate as reported.
February 18, 1944	S. 1647 referred to the House Committee on Naval Affairs. Print of the bill as referred.
March 1, 1944	House Committee reported S. 1647 with an amendment. House Report 1210. Print of the bill as reported.
March 20, 1944	S. 1647 discussed and passed House as reported.
March 24, 1944	Senate concurred in House amendment.
March 31, 1944	Approved. Public Law 275.

9. For the Federal administration of this act there should be created an agency within the United States Office of Education whose function should be to formulate policies and procedures necessary to assure the effective operation of the program, to set up State quotas of trainees, etc., and to distribute funds through the appropriate educational agency set up within the individual States.

10. To carry out the provisions of this proposal within the State, a State should, by legislative enactment, designate any existing State board of education or create a new board to be called the State board for war service education. Pending such action by the legislature, the Governor should designate or create such a board whose functions would essentially be:

(a) Approval of educational institutions of the State.

(b) Setting up and maintaining guidance and counseling services to be available to the ex-service personnel in the State.

(c) Certifying persons who are eligible to receive various types of education and training.

(d) Determining fees to be charged for educational services wherever those fees are in doubt.

(e) Adopting rules and regulations necessary for the effective operation of the program within the State.

Respectfully submitted.

JULIUS E. WARREN,
Commissioner of Education for
Massachusetts.

LACK OF RAILROAD CARS IN THE NORTH- WEST FOR WHEAT SHIPMENTS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, and appropriately referred, a number of telegrams which I have received relative to the box-car shortage in North Dakota.

There being no objection, the telegrams were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

STREETER, N. DAK., January 14, 1944.
Senator WILLIAM LANGER,

Washington, D. C.:

Our elevator is blocked, and we are unable to get cars, so please do something.

FARMERS' COOPERATIVE ELEVATOR Co.,
WALTER SCHWARTZ.

FALKIRK, N. DAK., January 14, 1944.
Senator LANGER,
Washington, D. C.:

Elevator blocked; boxcars going to Canada. Get rid of Mr. Eastman; or do we have to come to Washington and clean house?

FARMERS' UNION ELEVATOR &
MERCANTILE Co.

KILLDEER, N. DAK., January 14, 1944.
Senator BILL LANGER:

Grain-car situation has been deplorable; have been blocked continuous for months. Understand railroads requested furnish large number cars for Canadian shipments. This move most unfair when big amount our crop yet to move. Farmers short help; must move grain before spring. Your help appreciated.

KILLDEER EQUITY ELEVATOR Co.
OFFIDENT ELEVATOR Co.
KILLDEER GRAIN Co.

NOONAN, N. DAK., January 14, 1944.
Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.:

Elevator blocked; grain on ground; enormous amount in plain cribs. Farmers request you to vigorously protest against send-

ing grain boxcars into Canada. Do something, BILL. Elevator carrying full capacity of cash grain. We need relief and immediately.

A. M. PAULSON, Secretary,
R. R. KLAMMER, General Manager,
FARMERS' COOPERATIVE ELEVATOR Co.

KRAMER, N. DAK., January 15, 1944.
Hon. Senator WILLIAM A. LANGER,
Washington, D. C.:

Please protect for us Mr. Eastman's 200-car-per-day order for Canadian grain loading. We have blocked elevator and 30,000 bushels wheat purchased that is still in farmers' hands.

KRAMER EQUITY ELEVATOR Co.,
E. F. TROTTER, Manager.

MINNEAPOLIS, MINN., January 12, 1944.
Hon. WILLIAM LANGER,
United States Senate:

Eastman has issued orders effective today Northwest railroads furnish 200 grain cars daily to Canadian Pacific and Canadian National. Will create additional hardship Northwest producer, with large number blocked elevators.

ATWOOD-LARSON Co.

COLGAN, N. DAK., January 14, 1944.
Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.:

We ask you to submit a complaint to the Administrator of the O. D. T. on their recent order requiring the railroads to furnish 200 boxcars per day to Canada. This order is unfair to all us country shippers. Elevators full of cash grain. Grain sold to arrive. If this recent order is carried out it will cause us country shippers a serious handicap. Some of the grain on the farms is going out of condition and should be moved at once. We believe that the American shippers should be given priority on the cars, being our elevators are blocked most of the time. This recent week we have been able to buy grain 2 days. Grain is loaded direct to car from pit whenever we have any cars. Will appreciate whatever you can do in our favor in regards to recent order issued by the O. D. T.

FARMERS ELEVATOR Co.,
O. D. BERVIG, Manager.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts:

S. 1647. A bill to amend the act approved March 2, 1895, as amended; to the Committee on Naval Affairs.

By Mr. BRIDGES:

S. 1648. A bill for the relief of Carroll Jessiman; to the Committee on Finance.

By Mr. REYNOLDS:

S. 1649. A bill for the relief of Pete Paluck; to the Committee on Claims.

By Mr. BONE:

S. J. Res. 106. Joint resolution granting permission to Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett to accept certain medals tendered them by the Government of Canada in the name of his Britannic Majesty, King George VI; to the Committee on Commerce.

By Mr. LANGER:

S. J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States relating to terms of office of President, and providing for nomination of candidates for President and Vice President, and for election of such candidates, by popular vote; to the Committee on the Judiciary.

AMENDMENTS TO THE REVENUE ACT

Mr. MEAD submitted an amendment; Mr. LANGER submitted two amendments; and Mr. WILSON (for himself and Mr. WHERRY) submitted an amendment intended to be proposed by them to the bill (H. R. 3687) to provide revenue, and for other purposes, which were severally ordered to lie on the table and to be printed.

Mr. O'DANIEL submitted an amendment intended to be proposed by him to the bill (H. R. 3687) to provide revenue, and for other purposes, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

TITLE X—PAYMENT OF POLL TAXES OF MEMBERS OF THE ARMED FORCES

SEC. 1001. The Secretary of War and the Secretary of the Navy are authorized and directed—

(a) To ascertain (1) the names and home addresses of all members of the military and naval forces of the United States whose legal voting residences are in States under the laws of which the payment of a poll tax or other tax or fee is required as a condition of voting in elections for electors of President and Vice President or for United States Senators and Representatives in Congress, and who are absent from their respective legal voting residences, and (2) the amount of such poll tax or other tax or fee, including any interest or penalties accrued because of nonpayment thereof, required to be paid by each such member of the armed forces as a condition to voting in the elections to be held during the calendar year 1944, for electors of President and Vice President, and for United States Senators and Members of Congress; and

(b) To tender to the appropriate election officials of such respective States, in advance of the last dates fixed by the laws thereof for the making of such payments, such sums as may be necessary to make the payments ascertained under paragraph (a) (2) to be required with respect to the members of the armed forces who have legal voting residences therein.

SEC. 1002. The amount of any payment tendered by the Secretary of War or the Secretary of the Navy under section 1001 with respect to any member of the armed forces, and accepted by the election officials of any State, shall be remitted by such election officials to the Secretary of War or the Secretary of the Navy, as the case may be, if (a) notwithstanding such payment by the Secretary of War or the Secretary of the Navy, such member of the armed forces is held by the election officials of such State not to be eligible to vote in such election, or (b) such member of the armed forces is found to have paid such poll tax or other tax or fee within the time allowed for such payment.

SEC. 1003. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

PRINTING OF MANUAL EXPLANATORY OF PRIVILEGES, RIGHTS, AND BENEFITS PROVIDED FOR MEMBERS OF ARMED FORCES AND DEPENDENTS

Mr. BONE submitted the following resolution (S. Res. 236), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are, or Have Been, Members of the Armed Forces of the United States, and All Those Dependent Upon Them," designated as Senate Document No. 96, Seventy-seventh Congress,

be printed as a Senate document; and that 5,000 additional copies be printed for the use of the Senate.

OUR SECURITY AND THE ISLANDS OF THE PACIFIC—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Our Security and the Islands of the Pacific," delivered by him over radio stations in Wisconsin on January 14, 1944, which appears in the Appendix.]

ENCROACHMENTS ON PRIVATE ENTERPRISE—ADDRESS BY SENATOR MOORE

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD a radio address entitled "Private Enterprise Must Assert Itself Against Further New Deal Encroachments," delivered by Senator Moore on December 23, 1943, which appears in the Appendix.]

ADDRESS BY SECRETARY KNOX TO THE BOY SCOUTS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD the address delivered by Hon. Frank Knox, Secretary of the Navy, at the annual dinner of the Greater Cleveland Council of the Boy Scouts of America, Statler Hotel, Cleveland, Ohio, January 14, 1944, which appears in the Appendix.]

VETERANS' LEGISLATION—STATEMENT BY WARREN H. ATHERTON

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD a statement by Warren H. Atherton, national commander of the American Legion, delivered before the Senate Finance Committee on January 14, 1944, which appears in the Appendix.]

INTO POLAND—EDITORIAL FROM NEW YORK DAILY MIRROR

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "Into Poland," published in the New York Daily Mirror of January 5, 1944, which appears in the Appendix.]

FRONTIERS OF POLAND—ARTICLE BY WILLIAM PHILIP SIMMS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "Acid Test," written by William Philip Simms, which appears in the Appendix.]

THE TAX ON OLEOMARGARINE—ARTICLE FROM READER'S DIGEST

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "Here's Why There's Nothing To Spread on Your Bread," published in the Reader's Digest of December 1943, which appears in the Appendix.]

LABOR'S POLITICAL AIMS—ARTICLE BY PHILIP MURRAY

[Mr. ANDREWS asked and obtained leave to have printed in the RECORD an article by Philip Murray, president of the C. I. O., entitled "Labor's Political Aims," published in the American magazine of February 1944, which will appear hereafter in the Appendix.]

PERSONAL STATEMENT

Mr. GEORGE obtained the floor.

Mr. GILLETTE. Mr. President—

The ACTING PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. GEORGE. I yield.

Mr. GILLETTE. I have asked the distinguished Senator to yield to me to make a very brief statement.

Mr. President, I have been concerned over various reports which have appeared

in the news columns of the papers and in the special columns of writers pertaining to me, an experience common to all Members of the Senate. Ordinarily I have paid no attention to such reports and stories, however unfounded they may be. I have felt that it was unwise, and would accomplish no good purpose, to speak of the matters publicly. But in this morning's issue of a Washington newspaper appears an article by a well-known columnist under the heading "Washington Merry-go-Round" which purports to cover a reputed conversation between the Secretary of State, Cordell Hull, and me with reference to candidacy for the Presidency in the coming campaign. It speaks of a conversation which I was alleged to have had with the distinguished Secretary last week in which the matter of his suggested candidacy for the Democratic nomination was spoken of, suggested by me, and discussed between the Secretary and myself.

I wish to say unequivocally that I did not discuss, last week or last month or last year, or in the last 10 years, the candidacy of Cordell Hull or any other Democrat, for the Democratic nomination for the Presidency. There is not the remotest basis for the story which has been published today. As I have stated, I would not refer to it now were it not for the fact that this writer has brought in the name of the distinguished Secretary, and placed him in an unfortunate position, as a member of the President's Cabinet, with the statement that while he is occupying that position he is discussing, with me or with anyone else, his prospective candidacy, or his personal interest in a Democratic nomination.

Mr. President, I have read and reread the article, and, so far as I am concerned there are only two statements of truth in it. One is that I am white thatched; the other is that the distinguished Secretary is held in the highest esteem throughout the country, and especially for the success of his Moscow mission.

I thank the Senator from Georgia for permitting me to make this statement.

Mr. GEORGE. The Senator from Iowa need not be greatly concerned about any reference made by a certain columnist. Recently he has made statements about me which began with a lie and ended with a lie, and there is no improvement that I could make on the President's observation about this same columnist, that he is a chronic liar, except to say that the President was probably guilty of understatement. So I say to the Senator from Iowa that he need not be disturbed about anything that man may say about anyone, certainly about the distinguished Secretary of State, who is held in high esteem in this body, and throughout the country.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment which was passed over at the request of the Senator from Kentucky [Mr. BARKLEY].

The LEGISLATIVE CLERK. On page 69, after line 5, it is proposed to insert the following new section:

SEC. 123. Disallowance of certain deductions attributable to business operated by individual at loss for 5 years.

(a) In general: Supplement B of chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 130. Limitation on deductions allowable to individuals in certain cases.

"(a) Recomputation of net income: If the deductions allowable to an individual (except for the provisions of this section) and attributable to a trade or business carried on by him for 5 consecutive taxable years have, in each of such years, exceeded the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation, such deductions shall be allowed only to the extent of \$20,000 plus the gross income attributable to such a trade or business, and no net operating loss deduction shall be allowed.

"(b) Redetermination of tax: Upon the basis of the net income computed under the provisions of subsection (a), the tax imposed by this chapter shall be redetermined for each such taxable year to which this chapter is applicable and any excess thereof, resulting solely from the disallowance of the deductions specified in subsection (a), over the amount of the tax previously determined shall be assessed and collected as a deficiency.

"(c) Suspension of statute of limitations: Notwithstanding the provisions of section 275, any deficiency determined under subsection (b) for a taxable year preceding the fifth taxable year referred to in subsection (a) may be assessed within 1 year after the expiration of the time prescribed by law for the assessment of a deficiency for such fifth taxable year."

(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938, but no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944."

Mr. GEORGE. Mr. President, the amendment which has just been stated was offered in committee by the Senator from Connecticut [Mr. DANAHER]. I do not see the Senator from Connecticut on the floor. Can the minority leader give me any information with respect to when he expects the Senator to be present?

Mr. WHITE. Does the Senator from Georgia refer to the amendment in which the Senator from Connecticut [Mr. DANAHER] is interested?

Mr. GEORGE. Yes.

Mr. WHITE. Can the amendment be temporarily passed over while I send word to his office that the amendment is in order?

Mr. GEORGE. Yes. I ask that the amendment be passed over temporarily, Mr. President. I should like to clear up these amendments as we reach them.

The ACTING PRESIDENT pro tempore. The amendment will be passed over.

The clerk will state the next committee amendment passed over. The amendment appears on page 99, and was passed over at the request of the Senator from Ohio [Mr. BURTON].

The LEGISLATIVE CLERK. In section 205, "Reduction of excess profits credit based on invested capital in certain brackets," on page 99, after line 9, in the first column of the table, after "Over \$10,000,-

S. 1647

IN THE SENATE OF THE UNITED STATES

JANUARY 15 (legislative day, JANUARY 11), 1944

Mr. WALSH of Massachusetts introduced the following bill; which was read twice and referred to the Committee on Naval Affairs

A BILL

To amend the Act approved March 2, 1895, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 of the Act of Congress approved March 2,
4 1895 (28 Stat. 807), as amended by an Act approved
5 March 8, 1928 (45 Stat. 247), is further amended by insert-
6 ing in the third line of the proviso as it appears on page
7 247 of volume 45 of the United States Statutes at Large,
8 after the word "employees" the following: "and bonded
9 officers and enlisted men of the Navy, Marine Corps, and
10 Coast Guard."

A BILL

To amend the Act approved March 2, 1895, as amended.

By Mr. WALSH of Massachusetts

JANUARY 15 (legislative day, JANUARY 11), 1944

Read twice and referred to the Committee on Naval Affairs

H. R. 4030

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1944

Mr. VINSON of Georgia introduced the following bill; which was referred to the Committee on Naval Affairs

A BILL

To amend the Act approved March 2, 1895, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 of the Act of Congress approved March 2,
4 1895 (28 Stat. 807), as amended by an Act approved
5 March 8, 1928 (45 Stat. 247), is further amended by insert-
6 ing in the third line of the proviso as it appears on page 247
7 of volume 45 of the United States Statutes at Large, after
8 the word "employees" the following: "and bonded officers
9 and enlisted men of the Navy, Marine Corps, and Coast
10 Guard".

78TH CONGRESS
2^D SESSION

H. R. 4030

A BILL

To amend the Act approved March 2, 1895, as amended.

By Mr. VINSON of Georgia

JANUARY 21, 1944

Referred to the Committee on Naval Affairs

MISCELLANEOUS BILLS

HEARING BEFORE THE COMMITTEE ON NAVAL AFFAIRS UNITED STATES SENATE

SEVENTY-EIGHTH CONGRESS

SECOND SESSION

ON

S. 1632

A BILL FOR THE RELIEF OF CAPT. S. E. McCARTY (SUPPLY CORPS),
UNITED STATES NAVY

S. 1634

A BILL TO PROVIDE FOR THE MANAGEMENT AND OPERATION OF
NAVAL PLANTATIONS OUTSIDE THE CONTINENTAL UNITED STATES

S. 1640

A BILL TO AUTHORIZE THE SECRETARY OF THE NAVY TO ACCEPT
GIFTS AND BEQUESTS FOR THE UNITED STATES NAVAL ACADEMY,
AND FOR OTHER PURPOSES

~~S. 1647~~

A BILL TO AMEND THE ACT APPROVED MARCH 2, 1895, AS AMENDED

S. 1653

A BILL TO PROVIDE TITLES FOR HEADS OF STAFF DEPARTMENTS OF
THE UNITED STATES MARINE CORPS, AND FOR OTHER PURPOSES

S. 1676

A BILL FOR THE RELIEF OF SGT. MAJ. RICHARD SHAKER, UNITED
STATES MARINE CORPS

S. 1677

A BILL FOR THE RELIEF OF LT. (JR. GR.) NEWT A. SMITH, UNITED
STATES NAVAL RESERVE, FOR THE VALUE OF PERSONAL PROPERTY
LOST OR DAMAGED AS THE RESULT OF A FIRE OCCURRING ON
AUGUST 11, 1943, IN QUARTERS OCCUPIED BY HIM IN THE ARMORY
OF AVIATION FREE GUNNERY UNIT, DAM NECK, VA.

S. 1681

A BILL TO PROVIDE FOR REIMBURSEMENT OF CERTAIN MARINE
CORPS PERSONNEL ATTACHED TO MARINE UTILITY SQUADRON 152
FOR PERSONAL PROPERTY LOST OR DAMAGED AS THE RESULT OF A
FIRE IN OFFICERS' QUARTERS ON FEBRUARY 9, 1943

S. 1682

A BILL TO PROVIDE FOR THE PAYMENT OF COMPENSATION TO CER-
TAIN CLAIMANTS FOR THE TAKING BY THE UNITED STATES OF
PRIVATE FISHERY RIGHTS IN PEARL HARBOR, ISLAND OF OAHU, T. H.

FEBRUARY 2, 1944

Printed for the use of the Committee on Naval Affairs

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1944

COMMITTEE ON NAVAL AFFAIRS

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ELLISON D. SMITH, South Carolina
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MISCELLANEOUS BILLS

WEDNESDAY, FEBRUARY 2, 1944

UNITED STATES SENATE,
COMMITTEE ON NAVAL AFFAIRS,
Washington, D. C.

The committee met at 10:30 a. m., Hon. David I. Walsh of Massachusetts presiding.

Present: Senators Walsh of Massachusetts (chairman), Gerry, Gillette, Walsh of New Jersey, Davis, Tobey, and Willis.

S. 1653

Senator WALSH of Massachusetts. We are interested in Docket No. 130, a bill to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes.

(S. 1653 is as follows:)

[S. 1653, 78th Cong., 2d sess., Docket No. 130]

A BILL To provide titles for heads of staff departments of the United States Marine Corps, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter officers serving as heads of the Paymaster's Department and the Quartermaster's Department of the United States Marine Corps shall have the title of "The Paymaster General of the Marine Corps" and "The Quartermaster General of the Marine Corps," respectively.

SEC. 2. All laws or parts of laws now in force relating to the staff departments of the United States Marine Corps, except as provided in section 1 of this Act, shall remain in full force and effect.

STATEMENT OF LT. GEN. A. A. VANDEGRIFT, UNITED STATES MARINE CORPS, COMMANDANT OF THE MARINE CORPS

General VANDEGRIFT. I have a statement here, sir, I would like to read.

Senator WALSH of Massachusetts. General, you may proceed.

General VANDEGRIFT. The purpose of bill S. 1653 is to provide appropriate titles for the heads of the Paymaster and Quartermaster Departments of the Marine Corps.

Existing statutes designate those officers as the "paymaster" and the "quartermaster." The bill under consideration would change the titles to "The Paymaster General of the Marine Corps" and "The Quartermaster General of the Marine Corps," respectively.

The titles proposed would distinguish the heads of the two staff departments from paymasters and quartermasters at posts, stations, and organizations in the field. This distinction is necessary since

regulations, orders, and correspondence referring to either the Quartermaster, Marine Corps, or a post quartermaster have to be so worded as to avoid confusing the two offices. In addition the titles proposed would be more fitting and descriptive of the two offices since they are both occupied by general officers.

The titles "paymaster" and "quartermaster" were established by the act of June 30, 1834, there being but one officer to perform the duties of paymaster and two officers performing quartermaster duties, one of whom is an assistant quartermaster. With the expansion of the Marine Corps to its present size there are many quartermasters and paymasters.

The enactment of this legislation would involve no additional cost.

I urge the enactment of this bill, which has the approval of the Navy Department.

Senator WALSH of Massachusetts. No changes in rank?

General VANDEGRIFT. No changes in ranks and no changes in pay.

Senator WALSH of Massachusetts. For persons seeking appointment to these positions?

General VANDEGRIFT. Yes, sir.

Senator WALSH of Massachusetts. It seems to me it has merit. Without objection, the bill will be reported. We will proceed with the next bill, Docket 127, S. 1634.

S. 1634

Senator WALSH of Massachusetts. S. 1634 is a bill to provide for the management and operation of naval plantations outside the continental United States.

(S. 1634 is as follows:)

[S. 1634, 78th Cong., 2d sess., Docket No. 127]

A BILL To provide for the management and operation of naval plantations outside the continental United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized, under such regulations as he may prescribe, to manage, operate, maintain, and improve plantations and farms outside the continental limits of the United States, directly by the United States or under such lease, contract, or other arrangement as he may find suitable and in the interest of the United States, for the purpose of furnishing food and food products to the armed forces of the United States and the personnel thereof, and to civilians serving with the armed forces: *Provided*, That no land shall be acquired for the purpose.

SEC. 2. Appropriations for the subsistence of naval personnel shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any such plantation or farm: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes and other laws applicable to purchases by governmental agencies.

SEC. 3. Food and food products and other property incidental to the operation of any plantation or farm may be sold under such regulations as may be issued by the Secretary of the Navy without regard to the provisions of other law relating to the sale of Government property, and all funds and moneys received or accruing from such sales shall be deposited in the Treasury to the credit of miscellaneous receipts: *Provided*, That surplus production over the amount furnished or sold to the armed forces of the United States and the personnel thereof, and to civilians serving with the armed forces, may only be sold outside the continental limits of the United States.

SEC. 4. All persons employed directly by the United States, and their heirs, shall be governed as to compensation for disability or death from personal injury

sustained while in the performance of duty, by the Act approved September 7, 1916 (39 Stat. 742, 5 U. S. C. 751 ff), as amended: *Provided*, That only American citizens, employees of the United States, shall be entitled to benefits under the civil-service laws and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States.

Senator WALSH of Massachusetts. Have you a statement on this?

Mr. N. P. CASSIDY, of the Bureau of Supplies and Accounts. Yes, sir. Lieutenant Commander Powers has the statement.

**STATEMENT OF LIEUTENANT COMMANDER POWERS, U. S. N. R.,
OFFICE OF JUDGE ADVOCATE GENERAL**

Commander POWERS. The purpose of this bill is to permit the operation by the Navy of plantations or farms within bases outside of the United States in order to provide fresh provisions for the armed forces of the United States at those bases.

The bill will provide no additional cost to the Government as expenses are to be borne out of the appropriations for subsistence of personnel which would otherwise be used to purchase—

Senator WALSH of Massachusetts. Read that sentence again, please.

Commander POWERS. The bill will provide—I should say the bill provides no additional cost to the Government as the expenses are to be borne out of the appropriation for subsistence of personnel which would otherwise be used to purchase and ship supplies to the bases. Such shipment of fresh vegetables is at times impossible and most often impractical because of spoilage.

Under the base-lease agreement—that was the destroyer deal—the United States acquired several bases from the British Empire. One of these was at Trinidad, British West Indies. On the land so acquired which was assigned for naval use, there was at the time of taking the land a producing plantation consisting mainly of grapefruit, oranges, and limes. While some of the cultivation had to be destroyed for military reasons a large portion was left untouched. This fruit was used to supply the armed forces in Trinidad and to supply United States ships calling there.

In addition to the upkeep of the existing plantation, a small produce garden was put in which has successfully supplied fresh vegetables otherwise unavailable.

No new appropriation is necessary under the bill. No land has been or is to be acquired for the operation of any such farm.

The bill provides that no surplus production, if any, is to be sold in the United States.

This legislation was originally initiated as a measure to conserve Government property in Trinidad and to supply fresh vegetables and fruit therefrom to the armed forces. The fruit was there and was ours for 99 years under the base-lease agreement. Unless we used it, it would be wasted. By using it, money was saved for the Government, fresh fruit supplied, and shipping space conserved.

Experience at Trinidad has shown that the plantation will be self-supporting and involves no additional expense to the Government.

Subsequent experience in the South Pacific indicated the advisability of permitting these gardens or farms at other advance bases in order to provide fresh produce and conserve shipping space.

The bill briefly permits the Navy to use the appropriation for subsistence of personnel to pay the expenses of raising fresh produce for consumption at bases outside of the United States.

Senator WALSH of Massachusetts. There has been a hearing in the House on this?

Mr. CASSIDY. No, sir.

Senator WALSH of Massachusetts. How many men are there at Trinidad?

Commander POWERS. I would guess offhand, Army and Navy, somewhere around 15,000, I guess.

Senator WALSH of Massachusetts. Couldn't you supply fresh vegetables for 15,000 men?

Mr. CASSIDY. It isn't contemplated that we furnish all the fresh vegetables. This plantation was operated at the time the land was acquired and it was thought that it would be wasteful to discontinue or allow the plantation to become exhausted and run down.

Senator WALSH of Massachusetts. Haven't you got authority to use some of your enlisted personnel, your prisoners, and others to keep it up?

Mr. CASSIDY. No, sir; and it would be quite a problem to depend on prisoners to operate a plantation of 1,900 acres.

Commander POWERS. You see, Senator, it was there when we got it.

Senator WALSH of Massachusetts. I understand.

Commander POWERS. I have got a map, if you want to see what was there when we got it [handing to the chairman].

Senator WALSH of Massachusetts. I think the Congress would be reluctant to give you authority. Where is this plantation?

Commander POWERS. It is located on the Navy base.

Senator WALSH of Massachusetts. Is this the whole map of the plantation?

Commander POWERS. Yes, sir; practically all of it. Here is the map of Trinidad and here is the Navy base inside of this pencil line over this way, and this larger map would fit approximately into this section [indicating].

Senator WALSH of Massachusetts. This probably can be cultivated?

Commander POWERS. It is already cultivated. It was cultivated by the Huggins family and was already producing at the time we took it.

Senator WALSH of Massachusetts. Are these homes that were occupied by people here [indicating]?

Commander POWERS. No. That shows the name of the native who was cultivating that particular piece for them and the different colors show the different produce.

Senator WALSH of Massachusetts. Now, it is all taken over?

Commander POWERS. Yes, sir. It was taken over in '41. Not to get the plantation but because it happened to be inside the land that was selected.

Senator WALSH of Massachusetts. Is it fertile soil?

Commander POWERS. Yes, sir; very fertile.

Senator WALSH of Massachusetts. Nobody is living inside it now except our troops?

Commander POWERS. No, sir.

Senator WALSH of Massachusetts. These people have all been moved?

Commander POWERS. Yes, sir; I moved the last one off before I left.

Senator WALSH of Massachusetts. When did you leave there?

Commander POWERS. June.

Senator WALSH of Massachusetts. Is this all good soil?

Commander POWERS. Yes, sir; I operated this for 4 months when the officer who was supposed to operate it was away.

Senator WALSH of Massachusetts. For the fruits or vegetables, too?

Commander POWERS. Mainly for the fruits. The vegetable garden was only on a small experimental scale.

Senator WALSH of Massachusetts. Did these natives raise vegetables or fruit?

Commander POWERS. They mainly worked as plantation workmen.

Senator WALSH of Massachusetts. What was most of the fruit that was raised?

Commander POWERS. Grapefruit, oranges, and limes.

Senator WALSH of Massachusetts. Are they good quality?

Commander POWERS. Very high quality.

Senator WALSH of Massachusetts. Is it much of a job to keep the groves up?

Commander POWERS. On 2,900 acres I think it takes about, roughly speaking, a force of about 60 men.

Senator WALSH of Massachusetts. Do you hire civilians or use your own personnel?

Commander POWERS. We hire the native laborers.

Senator WALSH of Massachusetts. That is your program now—to hire the native laborers?

Commander POWERS. That is our program; yes, sir. There are very few prisoners in Trinidad.

Senator WALSH of Massachusetts. Have you figured it out to find out what the cost is compared with the amount of produce marketable?

Commander POWERS. Yes, sir. It shows roughly that at the optimum it would produce perhaps \$5,000 surplus over cost and on average conditions would be self-supporting. Under the worst conditions you might suffer five hundred or a thousand dollars' loss for a year, which would be made up in the next year.

Senator WALSH of Massachusetts. But you would have the advantage of fresh fruits and vegetables?

Commander POWERS. Yes, sir.

Senator WALSH. Have you attempted the raising of vegetables there?

Commander POWERS. The manager of the contract and a few of us had a small experimental garden there, sir.

Senator WALSH. Raising what?

Commander POWERS. We raised corn, tomatoes, peppers—green peppers—lettuce, string beans.

Senator WALSH of Massachusetts. With what success?

Commander POWERS. Very fine success, sir.

Senator WALSH. Did you raise any potatoes?

Commander POWERS. You can't raise potatoes in Trinidad. They won't grow.

Senator WALSH of Massachusetts. Sweetpotatoes?

Commander POWERS. Sweetpotatoes; yes, sir. They call them yams, of course.

Senator WALSH of Massachusetts. Peas?

Commander POWERS. We didn't have any success with green peas.

Senator WALSH of Massachusetts. How many crops a year can you get out of this?

Commander POWERS. Approximately two, perhaps three. By careful cultivation three. You have to avoid having your vegetables young at the beginning of the rainy season, otherwise they will be washed away. Otherwise, they grow all the time. Our main purpose was to conserve the large amount of grapefruit that was there. We supplied practically the Army and Navy.

Senator WALSH of Massachusetts. How many grapefruit trees are there? What was the production last year? Do you mean you have supplies enough for the needs of your own force there and also supplied some for the Navy ships that came in and for the Army?

Commander POWERS. Yes, sir.

Senator WALSH of Massachusetts. Has the Army got a base there?

Commander POWERS. Yes, sir. They have quite a large base. They have more men than we do.

Senator WALSH of Massachusetts. And you supply them?

Commander POWERS. With grapefruit; yes, sir.

Senator WALSH of Massachusetts. So when you say 15,000 you mean the Army and Navy, both?

Commander POWERS. Approximately; yes, sir.

Senator WALSH of Massachusetts. The Navy operates the whole base?

Mr. CASSIDY. That is right, sir.

Senator WALSH of Massachusetts. Why not just limit this bill to Trinidad and see how it works?

Mr. CASSIDY. I might answer that. After consideration was given to the submission of a bill limited to Trinidad, the question of meeting expenditures in certain places in the South Pacific for vegetable gardening came up. I have before me two letters, one from the commanding officer of an advance base and the other from the commander, service squadron, South Pacific Force, and in one of them he requests authority to reimburse native labor engaged in the operation of an experimental garden out of the ship stores profits fund.

In Espiritu Santo where fresh vegetables are at a premium.

We have a considerable force at an advance base in the South Pacific, and because of a shortage of vegetables they have undertaken to raise vegetables, certain fresh vegetables. Now, they have the project under way. It is not a large project, but the problem arises as to meeting the expense of that garden. There is a question as to whether ship stores profits, Navy, can be properly used. If the vegetables that are grown are distributed to the general mess, and also made available to the officers, mess, then, the question of the right of the officer to participate in ship stores profits arises.

I have here several brief letters, if you would care—I could read them for the record or put them in the record.

Senator WALSH of Massachusetts. They may be put in the record, but have we there large tracts of land like we have in Trinidad?

Mr. CASSIDY. No, sir.

Senator WALSH of Massachusetts. You would have to rent the land, wouldn't you?

Mr. CASSIDY. Most of it is merely appropriated by the occupying forces.

Senator WALSH of Massachusetts. Are there natives there to be employed?

Mr. CASSIDY. There are some natives; yes, sir. We are employing native labor there on this particular project in Espiritu Santo. The reason the bill is drawn broadly, is because of conditions that cannot be always foreseen as we move into these islands and because of the desire of the commanding officers to insure the maximum supply of fresh vegetables. It isn't proposed under this bill to undertake any extensive farming. It is to carry on the plantation at Trinidad and also to give us the authority to carry on these small projects which furnish fresh vegetables to the men as they move through these areas where fresh vegetables are limited.

Senator WALSH of Massachusetts. As I said before, I think you made out a case for Trinidad, but my impression is that the other projects are more or less uncertain and experimental and might get us involved into activities and costs that we can't foresee.

Mr. CASSIDY. There is no intention or desire on the part of the Navy Department to do that, but they do desire to meet the conditions which confront them, such as the case at Espiritu Santo, where the forces have a limited supply of fresh vegetables, if any, and they can undertake the raising of fresh vegetables. Now, it is not proposed, as Lieutenant Commander Powers has pointed out, to ask an additional appropriation. It is intended to use the money that is appropriated for subsistence and in lieu of buying fresh provisions, use a small amount in these small projects of that money to raise and produce vegetables in these gardens.

Senator WALSH of Massachusetts. Senator Walsh (of New Jersey), we have a very interesting question here. The Navy wants to go into the farming business. They have a large acreage. How many acres?

Commander POWERS. About 2,900.

Senator WALSH of Massachusetts. Two thousand nine hundred acres of land in Trinidad that was once an orange, grapefruit, and lime plantation. They say the quality of the fruit is excellent, and they want permission to operate it. They say there is enough fruit to supply the 15,000 men there and for ships that come in, with the Navy and the Army constituting about 15,000.

Commander POWERS. When I left that was the approximate figure.

Senator WALSH of Massachusetts. There are boats coming in there all the time?

Commander POWERS. There are boats coming in all the time, sir.

Senator WALSH of Massachusetts. You supply them—have been?

Commander POWERS. Yes, sir.

Senator WALSH of Massachusetts. There are no fresh vegetables there? The vegetables that arrive are spoiled in some cases and they take a lot of space, and so forth, and are not particularly satisfactory, I judge?

Commander POWERS. That is right.

Senator WALSH of Massachusetts. You think you can raise several classes of fresh vegetables?

Commander POWERS. Yes, sir.

Senator WALSH of Massachusetts. Now, they say it won't cost anything but the cost will come out of the supply and account items. In other words, the money that they would spend in buying these things would be converted into the producing of them. Is that correct?

Mr. CASSIDY. That is correct, sir.

Senator WALSH of Massachusetts. Now, they made out a pretty good case for Trinidad which has an existing plantation, but they want to go into the Southern Pacific where there is a great shortage of fresh vegetables and where there is opportunity to raise fresh vegetables. Of course, you won't go into the grapefruit business there or orange business or lime business?

Mr. CASSIDY. No, sir.

Senator WALSH of Massachusetts. I am a little skeptical about giving them full authority. They may want to do it in Midway and they may want to do it in the Marshall Islands.

Mr. CASSIDY. There is no program laid out, Senator.

Senator WALSH of Massachusetts. I understand that, but you do have one situation in the South Pacific where you have been experimenting already.

Mr. CASSIDY. They have already planted a garden and they have a project under way, and now the question arises as to the proper appropriation to pay for the labor.

Senator WALSH of Massachusetts. How big?

Mr. CASSIDY. I think it is rather small. The commanding officer of the advance base stated on the 27th of November, if I may take the liberty to read it:

Consideration is being given to the operation of an experimental garden, the produce of which will be used to supplement the rations served in the general mess. Since the produce raised will be used for the health and contentment of enlisted men authority is requested to direct the base disbursing officer to make the necessary disbursements to the native laborers employed and to charge such disbursements to ship stores profits.

He then further states that they can be hired at a rather nominal sum. It is thought the operation of such a garden for the period of 6 months to a year will prove its practicability and otherwise it is thought that every step should be taken to insure an adequate supply of fresh provisions at this advance base.

Senator WALSH of Massachusetts. Is there a time limit to this bill?

Mr. CASSIDY. No, sir; because we felt——

Senator WALSH of Massachusetts. At Trinidad.

Mr. CASSIDY. Trinidad would probably hold out for a number of years.

Senator WALSH of Massachusetts. I am afraid that in the Pacific case we will be charged with employing slave labor.

Mr. CASSIDY. I think we will move out of a great many places and a bill would become inoperative merely by the movement of the scene of operations.

Senator WALSH of Massachusetts. I think the bill ought to be limited anyway to the war emergency and then see how the experiment is worked out and get some report from the Navy. I think there also ought to be some provision made whereby you should get the consent of the two Naval Affairs Committees before you go beyond Trinidad, and submit to the Congress the conditions and the costs and the sav-

ings, if any, you are able to make. If you can show that your production and the cost of your production is less than it would be if you bought these vegetables in the open market, something might be said about it, because, of course, they are fresh and it would save space in transporting them.

Mr. CASSIDY. That is right, sir. Senator, I am sure that we would have no objection to a limit and no objection, of course, to coming up and getting the approval of the respective chairman, but in this case the advance base forces moved in and established a garden. I mean it is a small project, but the question does arise as to meeting the expenditure. The expenditure is nominal.

Senator WALSH of Massachusetts. We could amend—have we got control over ships stores?

Mr. CASSIDY. Ships stores profits; yes, sir.

Senator WALSH of Massachusetts. Have we control over them?

Mr. CASSIDY. Yes, sir.

Senator WALSH of Massachusetts. What are they usually diverted to?

Mr. CASSIDY. They are spent entirely by law for the health, comfort, and amusement of enlisted men. They are not legally available for the same purposes to commissioned officers.

Senator WALSH of Massachusetts. If they were diverted to this purpose, the Navy ought to reimburse the ships stores for the amount that is diverted, anyway; isn't that right?

Mr. CASSIDY. That is correct.

Senator WALSH of Massachusetts. I suppose you are also perhaps disturbed about whether you have the fundamental right to do what you are doing—experiment?

Mr. CASSIDY. Well, there is some question.

Senator WALSH of Massachusetts. Well, you can do a good deal in wartime.

Mr. CASSIDY. As we move into these islands, the problem arises; they have to deal with it, and if it is possible to get a few fresh vegetables out of the ground, they try it.

Senator WALSH of Massachusetts. The absence of them, I understand, is a decided handicap to the health of the men. I know parents who are alarmed by the letters they are receiving from the South Pacific area where their sons and relatives talked about the almost continued diet of canned vegetables. I have seen letters that said, "We couldn't recognize a fresh vegetable or piece of fruit if we saw it," so it seems to me this falls under the heading of health rather than economics.

Mr. CASSIDY. That is right. There is no desire on the part of the Navy, I want to repeat, to establish any large farming operations in the South Pacific. It is to take care of these little emergency cases that arise and to have authority to continue them and to make expenditures from appropriated money.

Senator WALSH of New Jersey. Can you get appreciable quantities of these fresh vegetables?

Mr. CASSIDY. I think it is very small.

Senator WALSH of New Jersey. I mean ultimately.

Mr. CASSIDY. We will get a considerable quantity of grapefruit and limes from the Trinidad plantation which is a going plantation.

Senator WALSH of New Jersey. I mean the South Pacific.

Mr. CASSIDY. In the South Pacific even the operations have got to be limited. On many of the islands or atolls there is no hope of growing anything.

Commander POWERS. It practically amounts out there, as I understand it—and I am not very familiar with that picture—but it practically amounts to a small group of men or the commanding officer running a small garden for his immediate group of men. That is what it amounts to.

Mr. CASSIDY. That is correct, sir, and the commander, Service Squadron, of the South Pacific Force, made this statement—that when the program of the Office of Economic Welfare has been placed in operation it is recommended that the naval base garden project be abandoned if it is found that there is a duplication of effort. Materials and equipment for the Navy gardening program may be ultimately merged into the program of the Office of Economic Welfare provided the Office of Economic Welfare desires to incorporate the available labor and equipment in their program.

Senator WALSH of Massachusetts. Under what Department of the Navy would these operations be carried on?

Mr. CASSIDY. Supplies and Accounts.

Senator WALSH of Massachusetts. Supplies and Accounts?

Mr. CASSIDY. Yes, sir.

Senator WALSH of Massachusetts. You are both from that department?

Mr. CASSIDY. No, sir. Commander Powers is from the Office of the Judge Advocate General. I am from the Bureau of Supplies and Accounts.

Senator WALSH of Massachusetts. Commander Powers has been in Trinidad, and, in fact, conducted the operation of maintaining these for 6 months?

Commander POWERS. Three months. I had the additional duty until the man who was in charge of it came back from leave.

(Discussion off the record.)

Senator WALSH of New Jersey. There are a lot of tonka beans.

Commander POWERS. Tonka bean is used for flavoring cigarettes. It has a very high value in peacetime, but a very low value in wartime. We didn't bother with tonka beans much.

The cocoa that is shown on that map is being cut down because it is diseased. It had practically been abandoned. It wouldn't pay us to work it, anyway. They have two types of limes, what they call the T-I, and the Philippine limes.

Senator WALSH of New Jersey. That means a lot of these men are getting vitamins that perhaps they wouldn't be getting if they had to rely on the ships?

Commander POWERS. I would like to get what I was getting down there while I am in Washington.

Mr. CASSIDY. Of course, that is more and more important in the South Pacific. I mean we have no idea of a farm program. We want merely authority to carry on these small projects and the authority to make payments from the appropriation which would otherwise purchase the food.

Senator WALSH of New Jersey. Even if a thousand men got an adequate diet, that wouldn't have gotten it otherwise, I think it worthwhile.

Senator WALSH of Massachusetts. We will arrange to have some limitations put on undertaking these projects, such as permission being granted upon condition that fresh vegetables are not obtainable; second, that the Navy is satisfied that they can be produced cheaper than they can be purchased in the open market; and that these operations will be undertaken only on approval of the Secretary of the Navy or something of that nature.

I wish you would think over the limitations. It isn't so much that we lack confidence in your judgment but some person might take it up and say we are going into the farm business, starting farms everywhere, and take this general language to indicate the possibility of your going beyond all reasonable bounds, which we know you do not intend to.

Mr. CASSIDY. I would be glad to do that, Senator.

Senator WALSH of Massachusetts. We will go to the next bill.

S. 1640

Senator WALSH of Massachusetts. The next bill is Docket 128, S. 1640.

The witnesses are Captain Wirth, Naval Academy, and Capt. T. H. Hederman, of the Bureau of Naval Personnel.

This is to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes.

(S. 1640 is as follows:)

[S. 1640, 78th Cong., 2d sess., Docket No. 128]

A BILL To authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized in his discretion to accept, receive, hold, administer, and expend gifts and bequests of personal property, from individuals or others, for the benefit of, or for use in connection with, the United States Naval Academy.

SEC. 2. Gifts or bequests of money or the proceeds from sales of other property received as gifts shall be deposited in the Treasury of the United States under the title "United States Naval Academy general gift fund," and any funds so deposited shall be subject to disbursement by the Secretary of the Navy for the benefit or use of the United States Naval Academy subject to the terms and conditions of the acceptance of any particular gift or bequest.

SEC. 3. Gifts and bequests accepted by the Secretary of the Navy under authority of this Act shall be exempt from all Federal taxes.

SEC. 4. The Secretary of the Treasury is authorized, upon request of the Secretary of the Navy, to invest, reinvest, or retain investments of the money or securities composing the United States Naval Academy general gift fund, or any part thereof, deposited in the Treasury pursuant to section 2 of this Act, in securities of the United States Government or in securities guaranteed as to principal and interest by the United States Government. The interest and profits accruing from such securities may be deposited to the credit of the United States Naval Academy general gift fund, and will be available for disbursement as provided in section 2 of this Act.

Senator WALSH of Massachusetts. A similar bill to this passed the Senate last year and on other occasions, but never passed the House.

STATEMENT OF CAPT. T. R. WIRTH, U. S. N., UNITED STATES
NAVAL ACADEMY

Senator WALSH of Massachusetts. Who is Captain Wirth?

Captain WIRTH. I am, sir.

Senator WALSH of Massachusetts. You are from the Naval Academy?

Captain WIRTH. Yes, sir.

Senator WALSH of Massachusetts. What is your position there?

Captain WIRTH. I have charge of the department of buildings and grounds.

Senator WALSH of Massachusetts. You may tell us what is contemplated by this bill.

Captain WIRTH. The purpose of the proposed legislation is as stated in its title.

In the past the Naval Academy has been offered gifts or bequests, many of which have been, or would have been, of great value to the institution. Among such valuable gifts are sailing yachts and boats for recreational purposes, paintings, ship models, objects of art of traditional or inspirational value, library collections, and similar items.

It has been necessary in the past to obtain specific legislation authorizing the acceptance of gifts and bequests for the Naval Academy. An example of such legislation is contained in the act approved April 25, 1936 (49 Stat. 1239), which authorized the Secretary of the Navy to accept on behalf of the United States a collection of ship models bequeathed by the late Col. Henry H. Rogers to the United States Naval Academy.

An act approved May 11, 1940 (Public, No. 506, 76th Cong.) authorized the Secretary of the Navy to accept on behalf of the United States the yacht *Highland Light* and a bequest of \$100,000, of the late Dudley F. Wolfe. This act, however, does not provide authority for the investing of the \$100,000 bequest in interest-bearing securities. The result is that \$15,000 of the principal, roughly, has been expended for needs which could have been met by the interest from the bequest.

Under the authority to administer any gift to the Naval Academy, the Secretary of the Navy would be empowered to deal with the Wolfe bequest and to deposit the proceeds thereof in the account "United States Naval Academy general gift fund." When the funds are so deposited, they may be invested by the Secretary of the Treasury and the income from such investments would be available for use by the Naval Academy subject to the terms and conditions of the bequest.

An act approved March 26, 1938 (52 Stat. 119) (U. S. C., supp. V, title 34, secs. 1116-1120) authorized the Secretary of the Navy to accept gifts and bequests of personal property for the benefit of the United States Naval Academy museum. No authority exists for the acceptance of gifts not destined for the museum.

The effect of the proposed bill if enacted into law would be to authorize the acceptance of gifts and bequests intended for the Naval Academy itself, and to authorize the investment of all such bequests of money in interest-bearing Government securities, including gifts already accepted.

Enactment of the proposed legislation would result in no immediate cost to the Government. The costs of upkeep and repairs of gifts or

bequests accepted under authority of the proposed bill would depend upon the nature of the items received. No estimate of the amount thereof can be made at this time. It is desired to point out in this connection, however, that the bill provides for the acceptance of the gifts or bequests to be in the discretion of the Secretary of the Navy, who in the exercise thereof would be careful not to place any unreasonable burden upon the agencies who would be called upon to provide the necessary funds which such acceptance would entail.

Senator WALSH of Massachusetts. Have any bequests been made that you know of?

Captain WIRTH. No, sir; none of this nature since the Wolfe bequest of 1938.

Senator WALSH of Massachusetts. That was a special bill that was passed?

Captain WIRTH. Yes, sir.

Senator WALSH of Massachusetts. But no provision was made for investing it?

Captain WIRTH. Exactly, sir.

Senator WALSH of Massachusetts. The money is where now?

Captain WIRTH. In the Treasury, sir.

Senator WALSH of Massachusetts. Is it labeled?

Captain WIRTH. It is labeled. On representations from the Superintendent of the Naval Academy, and request of the Secretary of the Navy, the Secretary of the Treasury makes available parts of it for the expenditures involved in keeping up of the *Highland Light* and other yachts and yawls, and so forth, which is a condition of the bill.

Senator WALSH of Massachusetts. What is the amount of that?

Captain WIRTH. A hundred thousand dollars it was in 1938, but we have got it down now to \$85,000. We have spent \$15,000 of the principal.

Senator WALSH of Massachusetts. Is it drawing interest?

Captain WIRTH. No, sir; we have no authority to invest it. That is what this bill seeks to provide, sir.

Senator WALSH of Massachusetts. Have you any other gifts in contemplation?

Captain WIRTH. No, sir.

Senator WALSH of Massachusetts. Is it to take care of that one thing?

Captain WIRTH. Yes, sir.

Senator WALSH of Massachusetts. And to permit similar bequests to be made and taken care of in the same way in the future?

Captain WIRTH. Yes, sir.

Senator WALSH of Massachusetts. Are the model ships that have been given and pictures and so forth—of course, they can go to the museum?

Captain WIRTH. Yes, sir; there is authority for that acceptance.

Senator WALSH of Massachusetts. This would permit yachts to be accepted as gifts, pieces of art, money, and anything else, by the Academy itself.

Captain WIRTH. Yes, sir.

Senator WALSH of Massachusetts. Without coming to Congress for authority?

Captain WIRTH. Yes, sir. Without making it necessary to make each the subject of a separate request for legislation, and in addition in the case of the bequests of money permitting the proper investment of it.

Senator WALSH of Massachusetts. When some people give something of value like a yacht, we are rather pleased to have it known and have Congress take action accepting it. This would not be possible if we passed a general law?

Captain WIRTH. It would not be necessary; no, sir. It could easily be made a matter of policy in order to secure for the gift the recognition by Congress.

Senator WALSH of Massachusetts. It gives it public recognition if Congress accepts the particular gift of a yacht presented by so and so and the purposes for which it is to be used, and so forth?

Captain WIRTH. Yes, sir. The bill pertains in the most part, as requested, sir, to the disposition of funds.

Senator WALSH of Massachusetts. Yes; of course. I suppose those yachts were quits valuable, weren't they?

Captain WIRTH. Yes, sir; they were. I am sorry I don't have the figure on that, but many of them are very valuable. In addition to the *Highland Light*, *The Vandy* is another instance of a gift to the Naval Academy by the citizens of the country.

Senator WALSH of Massachusetts. I wonder why the House has held this bill up?

Captain HEDERMAN. I think it was at the close of a session in June 1941.

Senator WALSH of Massachusetts. All right. Captain Hederman, have you anything to say on this?

Captain HEDERMAN. No, sir; except that Captain Wirth has represented the United States Naval Academy, and in my capacity from the Bureau of Naval Personnel I want to say that the views expressed by him are the views of the Navy Department.

Senator WALSH of Massachusetts. Now, we will take docket 129. You have some other bills, Captain Hederman, I see.

This is docket 129, S. 1647.

S. 1647

Senator WALSH of Massachusetts. S. 1647, to amend the act approved March 2, 1895, as amended. (Departmental bill.) (Eliminating requirement for renewal of corporate surety bonds every 4 years by Navy, Marine Corps, and Coast Guard personnel.)

(S. 1647 is as follows:)

[S. 1647, 78th Cong., 2d sess., Docket No. 129]

A BILL To amend the act approved March 2, 1895, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of Congress approved March 2, 1895 (28 Stat. 807), as amended by an Act approved March 8, 1928 (45 Stat. 247), is further amended by inserting in the third line of the proviso as it appears on page 247 of volume 45 of the United States Statutes at Large, after the word "employees" the following: "and bonded officers and enlisted men of the Navy, Marine Corps, and Coast Guard."

**STATEMENT OF COMDR. PIERSON P. BROWN (SUPPLY CORPS),
UNITED STATES NAVAL RESERVE, BUREAU OF SUPPLIES AND
ACCOUNTS, NAVY DEPARTMENT**

Commander BROWN. I have a short statement on this bill. I will read it.

Under the provisions of the act of March 2, 1895, every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every 4 years, but he may require bonds to be renewed or strengthened oftener if he deems such action necessary. Treasury Department regulations require that when a new bond is given, the disbursing officer close his accounts under the former bond and deposit any unexpended balances before an advance of funds is made under the new bond in order that the liability of the sureties on the respective bonds may be definitely fixed.

The requirement of depositing unexpended balances of funds upon renewal of bond has been modified from time to time with the approval of the Comptroller General. For example, if an officer is stationed remote from a United States depository, the transfer of funds to some other proper disbursing officer or agent is authorized. When it is not practicable for disbursing officers to deposit their official funds or to transfer unexpended balances to another disbursing officer, upon renewal of bond, it is required that at least two disinterested persons be designated to verify the cash on hand, such verification of cash to be made by actual count.

There are many instances, particularly in time of war, where disbursing officers are serving under conditions which make it impracticable to follow any of the procedures previously stated with respect to deposit, transfer, or verification of official funds upon renewal of bonds. By an amendment enacted March 8, 1928, it was provided that the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees shall be a compliance with the requirement for the renewal of such bonds within the meaning of the act of March 2, 1895. The bill S. 1647 would apply to bonded officers and enlisted men of the Navy, Marine Corps, and Coast Guard, the same procedure now provided by law for postal officers and employees, thus obviating the necessity for renewal of bonds each 4 years.

Senator WALSH of Massachusetts. All bonded officials?

Commander BROWN. All bonded officials of the Post Office Department. That was specifically provided for.

Senator WALSH of Massachusetts. The bond provisions correspond to those of the Post Office Department. Now, will you give us an illustration of what is required under present law and what change will be made by the enactment of this bill?

Commander BROWN. Yes, sir, Senator. The bond runs for 4 years. At the end of the 4 years, when the bond period expires, the particular disbursing officer might be serving at some remote station.

Senator WALSH of Massachusetts. Suppose he is on a ship.

Commander BROWN. If he is on the vessel, then, there would have to be appointed at least two officers to take all his cash and count all the cash, verify it, and this might come on any day of the year when there might be operations, and consequently two other officers might not be available for the time involved to count all the cash, verify it by actual count and make certification of the amount involved.

Senator WALSH of Massachusetts. Do you require now that the disbursing officer who is released be present?

Commander BROWN. The disbursing officer who is bonded.

Senator WALSH of Massachusetts. Yes; and who is being released.

Commander BROWN. He would be present. It is not a requirement. The requirement is that at least two individuals shall count the cash and verify it.

Senator WALSH of Massachusetts. And turn it back to the disbursing officer?

Commander BROWN. Turn it back to the same man.

Senator WALSH of New Jersey. This is just for a renewal of the bond to the same man?

Commander BROWN. Yes, sir.

Senator WALSH of New Jersey. In other words, it is that cumbersome even to renew his bond?

Commander BROWN. That is it, and it would be just as simple to have the same bond continue and payment of the premiums continues the bond indefinitely as long as he is on accountable duty which is the exact procedure which is now followed by the Post Office Department by amendment to the statute.

Senator WALSH of Massachusetts. What is—how is it in city and State governments?

Senator WALSH of New Jersey. They have sort of a blanket bond proposition. I don't know how it works as to individuals.

Senator WALSH of Massachusetts. Anything else to be said? Is this recommended by the Navy Department?

Commander BROWN. It is recommended by the Navy Department and has the approval of the Budget.

Senator WALSH of Massachusetts. How about the Comptroller General?

Commander BROWN. And the Comptroller General.

Senator WALSH of Massachusetts. He approves of it?

Commander BROWN. Yes, sir. I might say the bill was recommended by the Navy Department; consequently it was drafted to relate only to the officers and enlisted men of the Navy and Marine Corps.

Senator WALSH of Massachusetts. How about the Coast Guard?

Senator WALSH of New Jersey. The Coast Guard is included.

Commander BROWN. The Coast Guard is included in the bill. There is a representative of the War Department here who wishes to speak for the War Department.

STATEMENT OF H. G. GARDNER, SPECIAL ASSISTANT TO THE FISCAL DIRECTOR

Mr. GARDNER. My name is H. G. Gardner, special assistant to the Fiscal Director, and I am authorized to represent the War Department in this matter and to suggest for the consideration of the committee the inclusion of the Army in this measure so as to accomplish the same

purpose with reference to disbursing officers of the Army who operate under the same act the Navy operates under. This is a general bonding requirement act.

Senator WALSH of Massachusetts. Is your procedure the same now as in the Navy?

Mr. GARDNER. Substantially the same, yes; and we have a larger problem even than the Navy so far as the size is concerned, and the disbursing officers.

Senator WALSH of Massachusetts. I don't think there is any objection.

S. 1632

Senator WALSH of Massachusetts. The next is Docket 125, for the relief of Capt. S. E. McCarty, Supply Corps, United States Navy.

(S. 1632 is as follows:)

[S. 1632, 78th Cong., 2d sess., Docket No. 125]

A BILL For the relief of Captain S. E. McCarty (Supply Corps), United States Navy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$388.25 to reimburse Captain S. E. McCarty (Supply Corps), United States Navy, for the value of personal property lost or damaged by a storm on 17 August 1942, which flooded Government quarters occupied by him at the United States Naval Air Station, Quonset Point, Rhode Island: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Senator WALSH of Massachusetts. Captain Hederman.

STATEMENT OF CAPT. T. H. HEDERMAN, UNITED STATES NAVY, BUREAU OF NAVAL PERSONNEL

Captain HEDERMAN. The purpose of the proposed bill is to authorize and direct the Secretary of the Treasury to pay out of any money in the Treasury not otherwise appropriated the sum of \$388.25 to reimburse Capt. S. E. McCarty, United States Navy, for the value of personal property lost or damaged as a result of a storm on August 17, 1942, which flooded Government quarters occupied by him at the Naval Air Station, Quonset, R. I. The report of the Public Works Officer at the Naval Air Station indicates that on the date named a heavy rain caused water to accumulate to the extent of approximately 20 inches in the basement of quarters F occupied by the claimant. The water was pumped out and it was discovered that a large quantity of uniforms, clothing, and other property belonging to the claimant and his family had been either totally or partially ruined by the muddy water.

Senator WALSH of Massachusetts. It was in his occupied basement?

Captain HEDERMAN. Yes, sir. In the house in which he was living.

All of the articles that could be salvaged were cleaned and renovated. However, there remained a considerable quantity of articles of uniforms and clothing totally destroyed, which have been found by the Navy Department Claims Board to be valued at \$688.25. There is

no other authority of law by virtue of which the claim may be adjusted. The Navy Department is of the opinion that provision should be made for the payment of this claim as the quarters had been officially designated for the occupancy of claimant, and the loss and damage occurred without fault of negligence on his part. The additional cost to the Government, should this proposed legislation be enacted, would not exceed \$388.25.

Senator WALSH of Massachusetts. The usual board passed upon the amount?

Captain HEDERMAN. Yes, sir.

Senator WALSH of Massachusetts. All right. That may be reported.

S. 1677

Senator WALSH of Massachusetts. The next is 133, S. 1677, for the relief of Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Va. (departmental bill).

(S. 1677 is as follows:)

[S. 1677, 78th Cong., 2d sess., Docket No. 133]

A BILL For the relief of Lieutenant (Junior Grade) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Virginia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$272.50 to reimburse Lieutenant (Junior Grade) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of the Aviation Free Gunnery Unit, Dam Neck, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Senator WALSH of Massachusetts. Will you tell us the circumstances connected with this?

Captain HEDERMAN. The purpose of the proposed bill is to authorize and direct the Secretary of the Treasury to pay out of any money in the Treasury not otherwise appropriated the sum of \$272.50 to reimburse Lt. Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of the Aviation Free Gunnery Unit at Dam Neck, Va. The records of the Navy Department indicate that the fire that partially destroyed the armory of the Aviation Free Gunnery Unit at Dam Neck, Va., was probably caused by the overloading of an electric wire and defective BX cable. The articles damaged or destroyed were stored in a clothes closet locker in the quarters occupied by the claimant. There is no other authority of law by virtue of which the claim may be adjusted. The Navy Department is of the opinion that the provision should be

made for the payment of this claim as the quarters had been officially assigned for occupancy of this claimant and the loss and damage occurred without fault or negligence on his part. The claim has been examined by the Bureau of Naval Personnel which Bureau has found the value of the damaged articles to be \$272.50.

Senator WALSH of Massachusetts. The regular procedure was followed?

Captain HEDERMAN. Yes, sir.

Senator WALSH of Massachusetts. That may be reported.

S. 1676

Senator WALSH of Massachusetts. The next bill is a relief bill, Docket 132, S. 1676, to provide for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps (departmental bill).

(S. 1676 is as follows:)

[S. 1676, 78th Cong., 2d sess., Docket No. 132]

A BILL For the relief of Sergeant Major Richard Shaker, United States Marine Corps

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sergeant Major Shaker, United States Marine Corps, the sum of \$85, which sum represents the value of a radio lost while in the custody of the Marine Corps authorities at Quantico, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Senator WALSH of Massachusetts. Colonel Knighton, you may proceed.

STATEMENT OF COL. JOSEPH W. KNIGHTON, UNITED STATES MARINE CORPS

Colonel KNIGHTON. The purpose of the proposed legislation is to provide for an appropriation of \$85 to pay the claim of Sgt. Maj. Richard Shaker for the value of a radio lost as a result of a theft by an enlisted man while the radio was in the custody of the Marine Corps authorities at Quantico, Va.

The facts and circumstances of this case are substantially as follows: Sergeant Major Shaker was transferred to St. Thomas, V. I., on March 24, 1939, at which time he delivered his household effects, including a Victor radio purchased in December 1938, to the depot quartermaster, Marine Barracks, Quantico, Va., for shipment to his new station. As evidence of the delivery of the radio to the Marine Corps, Sergeant Major Shaker was given a receipt, No. 24188. A copy of the inventory, however, disclosed that the radio was not among the personal property in storage.

Investigation by the Marine Corps authorities failed to reveal the whereabouts of the radio. However, one Edward P. Ward, Jr., private, United States Marine Corps, surrendered himself, after being declared a deserter, and admitted the theft of the radio belonging to the claim-

ant, along with other Government property, and this man was finally tried by general court martial and got a prison sentence.

The claim of Sergeant Major Shaker for \$85 for the loss of his radio appears to be reasonable and just, and it is believed that provision should be made for payment of this claim.

The Commandant of the Marine Corps recommends the enactment of S. 1676.

The Navy Department recommends the enactment of this bill. The Bureau of the Budget had no objection to the submission of this legislation when it was proposed.

Senator WALSH of Massachusetts. All right. That may be reported.

S. 1681

Senator WALSH of Massachusetts. The next is a similar bill, Docket 134, to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in the officers' quarters of February 9, 1943—departmental bill.

(S. 1681 is as follows:)

[S. 1681, 78th Cong., 2d sess., Docket No. 134]

A BILL To provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,483.36, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Marine Corps personnel for the value of personal property lost or damaged in a fire that destroyed quarters assigned to certain officers of Marine Utility Squadron 152 on February 9, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Senator WALSH of Massachusetts. Colonel K. Knighton.

STATEMENT OF COL. J. W. KNIGHTON, UNITED STATES MARINE CORPS, OFFICE OF THE COMMANDANT

Colonel KNIGHTON. The purpose of the proposed bill, Mr. Chairman, is to authorize and direct the Secretary of the Treasury to pay the sum of \$1,483.36, or such portion thereof as may be necessary to pay claims of four officers of the Marine Corps attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in the quarters occupied by them on February 9, 1943.

The investigation reveals that the quarters assigned to the officers in question were tents and the loss of the property was caused by the spreading of a brush fire to these tents.

There is no other authority of law by virtue of which these claims may be adjusted.

The Commandant of the Marine Corps is of the opinion that provision should be made for the payment of these claims. The personnel involved were assigned to duty at said station—which was in the South Pacific, as a matter of fact. They were a utility squadron out there—by orders of competent authority and the loss of and damage to their property occurred without fault or negligence on their part.

These claims have been examined by the Commandant of the Marine Corps, and the value of the property lost and damaged has been found to be as follows:

Capt. Russell L. Young-----	\$376. 76
Capt. Walter J. G. Schraumm-----	578. 30
Capt. Bradford D. Bramhall-----	97. 10
First Lieut. Richard H. Pierce-----	431. 20
Total -----	1,483. 36

Senator WALSH of Massachusetts. Were they out of the tent at the time this happened?

Colonel KNIGHTON. Yes, sir. One man was on a scheduled flight, and the others weren't there.

Senator WALSH of Massachusetts. This was not in a combat zone?

Colonel KNIGHTON. No, sir; not an actual combat zone, it was in a rear area.

Senator WALSH of Massachusetts. Mr. Hederman, are we likely to get claims of this kind as a result of enemy action?

Captain HEDERMAN. No, sir; all operations of war are covered by the recent Claims Act.

Senator WALSH of Massachusetts. So these cases are separate from losses by reason of the operation of the war?

Captain HEDERMAN. No, sir. Fire and flood were not considered just by the Bureau of the Budget because they claimed it might be making an insurance company out of the Government.

Senator WALSH of Massachusetts. All right.

Colonel KNIGHTON. The cost to the Government, should this legislation be enacted, would not exceed \$1,483.36.

The Commandant of the Marine Corps recommends this legislation be enacted.

Senator WALSH of Massachusetts. All right. It may be reported.

S. 1682

Senator WALSH of Massachusetts. The next is Docket 135, S. 1682, to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, Territory of Hawaii—departmental bill.

(S. 1682 is as follows:)

[S. 1682, 78th Cong., 2d sess., Docket No. 135]

A BILL To provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, island of Oahu, Territory of Hawaii

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any funds not otherwise appropriated, to the following named claimants the sums respectively indicated herein as

full and complete compensation for their respective rights in the fisheries of Pearl Harbor, island of Oahu, Territory of Hawaii: Trustees under the will and of the estate of James Campbell, deceased, and Oahu Railway and Land Company, \$62,375.20; the Dowsett Company (Limited), \$1; H. N. Kaikainahaole, \$1; Adelaide K. Akina, \$1; trustees of the Bernice P. Bishop estate, \$6,952.80; executor of the estate of Lincoln Lloyd McCandless, \$2,827.22: *Provided*, That payment shall not be made to any of said claimants until such claimant has consented to the dismissal with prejudice of all pending litigation wherein right to compensation for the taking of such fishery rights and of any interest therein or part thereof has been or is claimed or asserted against the United States, in a manner satisfactory to the Attorney General, has conveyed to the United States any and all right, title, or interest in said fisheries, and has released all claims to damages or compensation against the United States with respect to alleged rights in said fisheries; and has consented to the entry of a final order or judgment of condemnation in the condemnation proceedings instituted by the United States and pending in the United States District Court for Hawaii for the condemnation of claimants' rights in said fisheries.

Senator WALSH of Massachusetts. You are from the Bureau of Yards and Docks?

Mr. TWITTY. Yes, sir.

STATEMENT OF PETER S. TWITTY, OF THE BUREAU OF YARDS AND DOCKS

Mr. TWITTY. The several claims which are involved in this legislation have been under consideration by the Navy Department for many years, and the Department's files on the subject are quite voluminous. To conserve the committee's time, the statement which I have prepared and which I shall be glad to read, with your permission, gives only the highlights of the case. If they are insufficient for your purposes, I shall be pleased to try to answer any questions you may see fit to ask.

The beneficiaries named in this bill are the owners of vested rights of fishery in the waters of Pearl Harbor, Hawaii, such rights having been established in conformity with the provisions of the Organic Act of the Territory of Hawaii approved April 30, 1900 (312 Stat. 160, U. S. C. title 48, sec. 506). See in this connection *Damon v. Hawaii* (194 U. S. 154.)

By act of Congress approved August 22, 1912 (37 Stat. 341), the Secretary of the Navy, as a means of insuring the proper control, protection, and defense of the naval station, harbor and entrance channel at Pearl Harbor, was authorized, empowered, and directed to adopt and prescribe rules and regulations governing the navigation, movement and anchorage of vessels, of whatsoever character in the waters of Pearl Harbor, Island of Oahu, and in the entrance channel to said harbor, and to take all necessary measures for the proper enforcement of such rules and regulations.

Pursuant to the foregoing authority, the Secretary of the Navy promulgated certain regulations for the control of the waters of Pearl Harbor including Regulation No. 9 (art. P4091) which prohibited fishing boats from working in the channels. Accordingly, the claimants were denied the privilege of exercising their fishing rights in those waters.

Controversy ensued as to whether the claimants were entitled to compensation for being thus deprived of their fishing rights. However, Congress appears to have reconciled any doubt it may have had as to the claimants' rights, equitable or otherwise, when it passed the act approved June 28, 1921 (42 Stat. 67) which, as amended by the act of April 14, 1930, authorized the Secretary of the Navy to examine and appraise the value of all privately owned rights of fishery in Pearl Harbor (within the boundaries therein defined), and to enter into negotiations for the purchase of said rights and if, in his judgment the price of such rights is reasonable and satisfactory, to make contracts for the purchase of same, subject to future ratification and appropriations by Congress; or in the event of the inability of the Secretary of the Navy to make a satisfactory contract for the voluntary purchase of said rights of fishery, he is hereby authorized and directed through the Attorney General, to institute and carry to completion, proceedings for condemnation of said rights of fishery, the acceptance of the award in said proceeding to be subject to the future ratification and appropriations by Congress.

Senator WALSH of Massachusetts. When was that act passed?

Mr. TWITY. On June 29, 1941 (42 Stat. 67). Pursuant to that authority condemnation proceedings were filed in the District Court of the Territory of Hawaii and the following judgments were awarded by the courts. I don't think it is necessary to read them.

Senator WALSH of Massachusetts. Are they the same as in this bill?

Mr. TWITY. The judgments are not the same. This was a compromise settlement.

Senator WALSH of Massachusetts. Were the judgments larger?

Mr. TWITY. Much larger, yes.

Appeals were taken from the judgments in favor of the Campbell estate and the John Ii estate. However, action on the remaining cases was withheld pending final decision on the appeals of the Campbell estate and the John Ii estate. The judgment of the court in these cases was reversed on technical grounds and the merits of the award were not considered.

The Secretary of the Navy, having failed to so recommend, the judgment in none of the cases was ever ratified by Congress as provided by the act authorizing the condemnation proceedings.

Meanwhile, with the view of reaching some reasonable compromise settlement with the claimants, the Secretary of the Navy appointed a special board, comprising two naval officers and a civilian representative of the Navy Department to appraise these fishing rights. The aggregate of their appraisal was \$61,170.67, whereas the aggregate awards of the court were \$208,130.33. A copy of the special board's appraisal report is available to the committee if it should be desired.

Throughout ensuing years the Navy Department made numerous efforts to reach settlements with the respective claimants. Having failed to do so, the Department, on October 15, 1940, addressed a joint letter to all of the claimants, in which it was proposed to settle all of the claims for the aggregate sum of \$100,000, the increase proposed to

be paid to each claimant over the Naval Board's appraisal of his respective interest being in the same ratio that the sum of \$100,000 exceeds the aggregate sum of the Board's appraisal of \$61,170.70. Thus the offers made by the Navy Department were as follows:

Claimant	Naval Board's appraisal	Proposed to be paid
Campbell estate and Oahu Railway & Land Co. (as their respective interests may appear).....	\$38, 157. 20	\$62, 378. 20
Robinson estate.....	1, 284. 88	2, 100. 48
John Ii estate.....	15, 746. 17	25, 741. 30
Bishop estate.....	4, 252. 99	6, 952. 80
L. L. McCandless estate.....	1, 729. 43	2, 827. 22
Total.....	61, 170. 67	100, 000. 00

The beneficiaries named in the bill have finally agreed to settle their claims on the foregoing basis. The remaining claimants, the Robinson estate and the John Ii estate, have failed to respond to the Navy Department's letters concerning the matter.

The bill, as originally proposed by the Navy Department, has been redrafted to comply with certain recommendations of the Attorney General which are designed to safeguard the Government from any and all other demands of the claimants in connection with the taking of their respective rights.

It is the Navy Department's understanding that the bill, in its present form, has been approved by the Attorney General and has cleared the Bureau of the Budget.

Senator WALSH of Massachusetts. Was there ever any question about liability?

Mr. TWITTY. Yes, sir.

Senator WALSH of Massachusetts. Was that tried out in the courts?

Mr. TWITTY. It was. The question arose as to whether there was a liability on the part of the Government, because the act under which the order of the Secretary of the Navy was—upon which it was predicated—related to the regulation of vessels; it used the word “vessels”—I will quote to be accurate about that—

was authorized and empowered to adopt rules and regulations governing the navigation, anchorage, and movement of vessels of whatsoever character.

The question involved was whether ordinary fishing craft fell within the category of vessels, and consequently whether or not the Secretary of the Navy's order was based on the police power of the Government; and if it wasn't, of course, the various claimants took the position that it was a taking of their property rights and they were entitled to recover under the Tucker Act. I didn't put in this statement, gentlemen, because I wanted to condense it as much as possible, that there was a suit later filed in the Court of Claims by one of the claimants. That is taken care of, though, in the bill that provides for a settlement of that claim. But although there was a doubt, as I say, that doubt was either brushed away or resolved by Congress in favor of the claimants by authorizing the filing of the condemnation proceedings.

Senator WALSH of Massachusetts. Does this bill take care of all the claimants?

Mr. TWITTY. No, sir; as I pointed out in the statement, there are two more. They don't answer the letters of the Navy Department and we have never been able to get them to reach any agreement.

Senator WALSH of Massachusetts. What are the \$1 items for?

Mr. TWITTY. The original judgment of the Campbell estate was \$79,000, but that judgment expressly provides that the sum of \$78,997 shall be paid to the trustees of the Campbell estate and that the sum of \$1 each is awarded to the Dulset Co., Ltd., and H. N.—a commander with a Hawaiian name, and A. E. Akina, the owners of certain types of fishery rights.

The nominal sums of \$1 were written into the bill with the idea of making it gibe with the judgment of the court to take care of three nominal awards in the judgment, in case anything should happen to arise on it, and they should say they were not parties to it. The \$3 is taken off of the gross amount awarded to the trustees.

Senator WALSH of Massachusetts. Was the litigation carried on by the Department of Justice?

Mr. TWITTY. Yes; by the district attorney in Hawaii, yes.

Senator WALSH of Massachusetts. Then, of course, approved by the Department of Justice here?

Mr. TWITTY. Yes.

Senator WALSH of Massachusetts. They approved this bill?

Mr. TWITTY. Yes; that is my understanding. The bill, as I have pointed out, was redrafted to meet their objections.

Senator WALSH of Massachusetts. And the Navy Department approves it, of course?

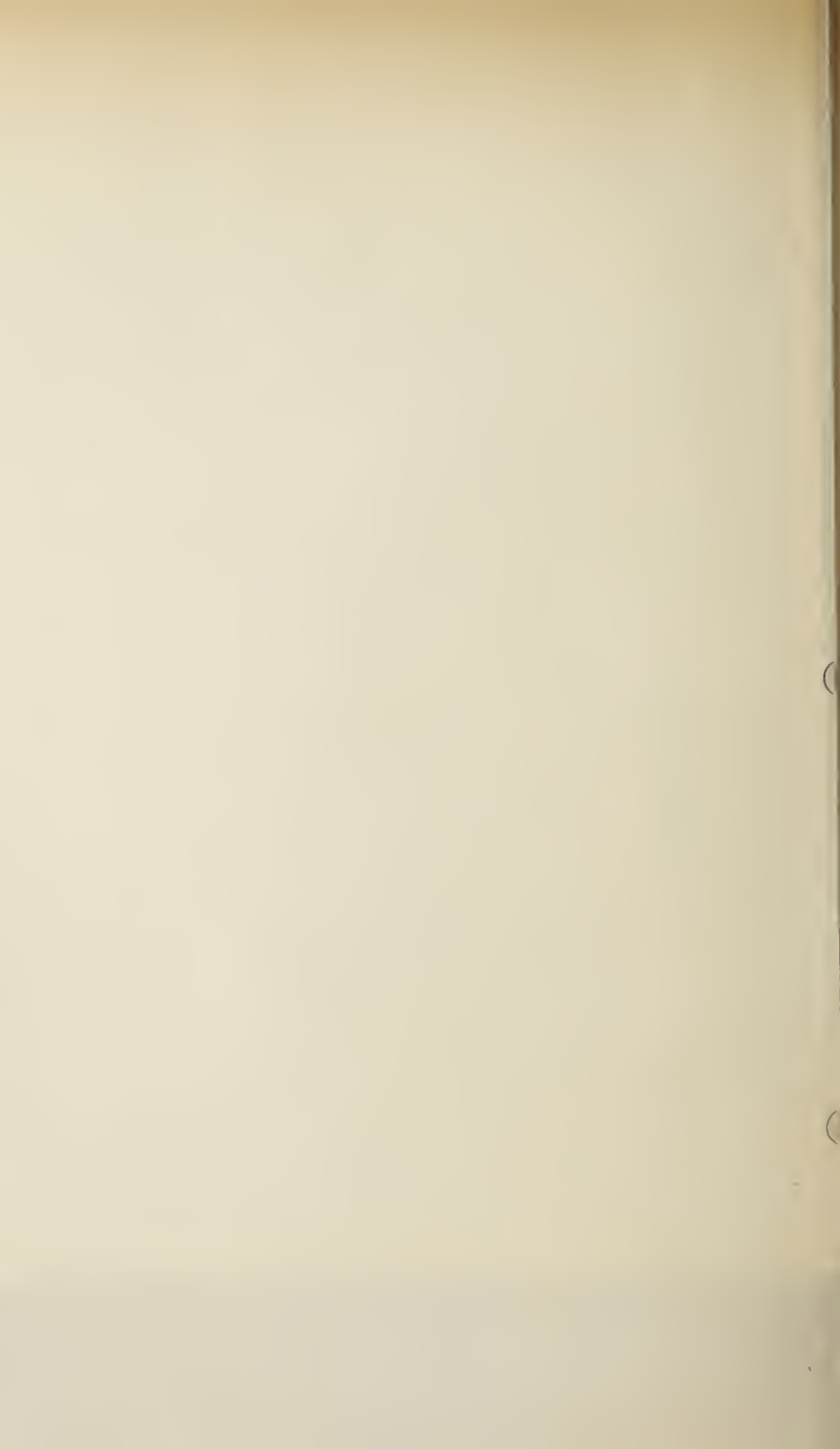
Mr. TWITTY. Yes, sir.

Senator WALSH of Massachusetts. Without objection, it will be reported.

That is all.

(Whereupon, at 1:20 p. m. the committee adjourned to await the call of the chairman.)

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Vol. 90

WASHINGTON, THURSDAY, FEBRUARY 3, 1944

No. 20

Senate

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we thank Thee for the sweet refreshment of sleep, restoring the frayed edges of care, and for the beckoning glory and the fresh vigor of the new day. Across all its toiling hours, O Thou great Companion of our souls, keep our hearts with Thee as once more we set our faces toward vexing social problems which tax our utmost to solve.

May we take heed of all the judgments of those who share with us the responsibilities of statecraft and gather gratefully and patiently whatever truth they hold; but teach us still to test all things by our own conscience and by the words and the spirit of that One who alone is our Master. Strengthen our weakness, comfort our sorrow, steady and calm our anxious hearts, quiet our ill tempers, bring courage for cowardice and faith for cynicism, and in the decisions here to be made in crucial days ahead make us worthy of these demanding times that call aloud for wisdom and character. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. CLARK of Missouri, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, February 2, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. CLARK of Idaho). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Capper	McCarran	Tunnell
Caraway	McClellan	Tydings
Chandler	McFarland	Vandenberg
Chavez	McKellar	Wagner
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Walsh, N. J.
Danaher	Millikin	Wheeler
Davis	Moore	Wherry
Downey	Murdock	White
Eastland	Murray	Wiley
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The ACTING PRESIDENT pro tempore. Ninety-two Senators having answered to their names, a quorum is present.

TRIBUTE TO THE LATE SENATOR VAN NUYS BY COMMITTEE ON FOREIGN RELATIONS

Mr. CONNALLY. Mr. President, with respect to the recent death of our distinguished colleague, Senator FREDERICK VAN NUYS, of Indiana, I desire to observe that the Committee on Foreign Relations, of which he was a very able and industrious member for a number of years, has adopted a resolution in tribute to him. I ask unanimous consent that

the resolution be printed in the body of the RECORD in the form in which it passed the Committee on Foreign Relations.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Committee on Foreign Relations has learned with profound sorrow of the death of its distinguished member, FREDERICK VAN NUYS; and

Whereas Senator VAN NUYS served with outstanding ability on the Committee on Foreign Relations for 10 years, a period during which he provided wise counsel to his country and exerted a potent and beneficial influence on the role America has played in world affairs;

Whereas Senator VAN NUYS, by his constructive accomplishments, integrity, and personal example, has left a brilliant record that will guide his aggrieved colleagues in the difficult days to come;

Whereas in the death of Senator VAN NUYS the United States has lost a foremost statesman and public servant: Now, therefore, be it

Resolved, That we tender to Mrs. Van Nuys, the widow of our late colleague, our deepest sympathy in her great bereavement; and be it further

Resolved, That a copy of this resolution be inscribed in the minutes of the Committee on Foreign Relations, and a copy be sent to Mrs. Van Nuys.

CORRECTION

Mr. CLARK of Missouri. Mr. President, on Tuesday, February 1, during the debate on the pending measure, I stated that General MacArthur was born in Wisconsin. What I intended to say was that he was of Wisconsin stock. I ask that the permanent RECORD, on page 1000, be corrected accordingly.

The ACTING PRESIDENT pro tempore. The correction will be made.

REPORT OF NAVY CLUB OF THE UNITED STATES OF AMERICA

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the national commandant and the national ships writer of the Navy Club of the United States of America, transmitting, pursuant to law, a report of the proceedings and activities and statement

of receipts and expenditures, etc., of that club for 1943, which, with the accompanying papers, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of New Jersey, memorializing the Congress to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide for Federal action only in the delivery, collection, and return of the ballots; ordered to lie on the table.

(See joint resolution printed in full in today's proceedings when presented by Mr. HAWKES.)

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland, praying for the adoption of measures to help the destitute, ill, and hospitalized children of Nazi-occupied Europe; to the Committee on Foreign Relations.

A joint resolution of the Legislature of Rhode Island; to the Committee on Foreign Relations:

"SENATE JOINT RESOLUTION 1

"Joint resolution of the General Assembly of the State of Rhode Island and Providence Plantations endorsing the broad principles of world relations as announced by the Moscow Conference implemented by the successive conferences of the Allied Powers

"Whereas the State of Rhode Island and Providence Plantations, early refuge for the persecuted who wished only freedom to think as they pleased and to speak as they thought, in article I of her constitution declared that all free governments are instituted for the protection, safety, and happiness of the people and has held forth a lively experiment that a flourishing civil state can stand and be best maintained with full liberty in religious concerns; and

"Whereas the broad principles of world relations as announced by the Moscow Conference, implemented by the successive conferences of the Allied Powers, have particular significance to the descendants of those who fought to secure religious and political freedom for this smallest State in the Union: Now, therefore, be it

"Resolved, That this General Assembly of the State of Rhode Island and Providence Plantations, firmly convinced that the broad principles of world relations as so announced by the Moscow Conference and so implemented, should receive the ready endorsement of every citizen of this liberty-loving State, does, now express to the Honorable Franklin Delano Roosevelt, President of the United States of America, to the Honorable Cordell Hull, Secretary of State of the United States, who so ably represented the United States at the Moscow Conference, and to the Senators and Representatives in Congress from Rhode Island such endorsement without reservation that there may be political base for international cooperation and economic base for international trade and development, two underlying necessities for a post-war world; and be it further

"Resolved, That duly certified copies of this resolution be transmitted by the Secretary of State of Rhode Island to the President of the United States, to the Secretary of State of the United States and the Senators and Repre-

sentatives from Rhode Island in the Congress of the United States of America that they may be entirely cognizant of the approval of Rhode Island of the plan for the broad principles of world relations, as evidenced in the Moscow Conference, so implemented."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Claims:

H. R. 1835. A bill for the relief of Frederick Lee Littlefield; with amendments (Rept. No. 660).

By Mr. WHERRY, from the Committee on Claims:

H. R. 1934. A bill for the relief of Mrs. Donald B. Johnston; without amendment (Rept. No. 661); and

H. R. 2691. A bill for the relief of Tom S. Steed; without amendment (Rept. No. 662).

By Mr. O'DANIEL, from the Committee on Claims:

S. 891. A bill for the relief of Rebecca Collins and W. W. Collins; with amendments (Rept. No. 663);

H. R. 547. A bill for the relief of Kernan R. Cunningham; without amendment (Rept. No. 664);

H. R. 3001. A bill for the relief of James T. Rogers; without amendment (Rept. No. 665);

H. R. 3329. A bill for the relief of Lt. Col. Charles H. Morhouse; without amendment (Rept. No. 666); and

H. R. 3332. A bill for the relief of Spencer Meeks; without amendment (Rept. No. 667).

By Mr. ELLENDER, from the Committee on Claims:

S. 1549. A bill for the relief of Vern M. Stanchfield; without amendment (Rept. No. 668);

S. 1563. A bill for the relief of W. E. Dowdell and June Dowdell; with an amendment (Rept. No. 669);

H. R. 610. A bill for the relief of Pacific Dry Dock and Repair Co., Inc.; without amendment (Rept. No. 670);

H. R. 2639. A bill for the relief of William M. Tucker and Nelda M. Tucker; without amendment (Rept. No. 671);

H. R. 2804. A bill for the relief of Ruth E. P. Phillips, as executrix of the estate of Amos Russell Phillips, deceased; without amendment (Rept. No. 672); and

H. R. 3157. A bill for the relief of Lloyd L. Johnson and P. B. Hume; with an amendment (Rept. No. 673).

By Mr. LANGER, from the Committee on Irrigation and Reclamation:

S. 1337. A bill to extend the time within which the States of Montana, North Dakota, and Wyoming may negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; without amendment (Rept. No. 674).

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 1632. A bill for the relief of Capt. S. E. McCarty (Supply Corps), United States Navy; without amendment (Rept. No. 675);

S. 1647. A bill to amend the act approved March 2, 1895, as amended; with an amendment (Rept. No. 676);

S. 1653. A bill to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes; without amendment (Rept. No. 677);

S. 1668. A bill authorizing appropriations for the United States Navy for additional ship-repair facilities, and for other purposes; with an amendment (Rept. No. 678);

S. 1676. A bill for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps; without amendment (Rept. No. 679);

S. 1677. A bill for the relief of Lt. (Jr. Gr.) Newt. A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gun-nery Unit, Dam Neck, Va.; without amendment (Rept. No. 680); and

S. 1681. A bill to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943; without amendment (Rept. No. 681).

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on February 1, 1944, that committee presented to the President of the United States the enrolled bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES: NUMBER OF CIVILIAN EMPLOYEES IN THE EXECUTIVE BRANCH, DECEMBER 1943

Mr. BYRD. Mr. President, I ask unanimous consent to present a report in connection with the work of the Joint Committee on Reduction of Nonesential Federal Expenditures on the number of civilian employees in the executive branch of the Federal Government for the month of December 1943.

The reduction trend in Federal civilian employment continues, there being a total of 2,960,936 employees for the month of December 1943, which is a reduction of 13,066 employees over the total of 2,974,002 for the month of November 1943.

There has also been a net decrease of 134,527 employees since the month of June 1943, when civilian employment in the executive branch reached the peak figure of 3,095,463.

Since November 1943, 33 departments and agencies have eliminated 18,166 employees while 28 departments and agencies have increased the number of their employees by 5,100.

Except for the Navy Department with an increase of 1,799 employees and the Veterans' Administration with an increase of 338 employees, there were no increases for any department or agency of over 300 employees.

The War Department continues its reduction trend with a decrease of 13,368 employees. Other departments and agencies showing substantial reductions in the number of their employees were: Department of Agriculture, 1,237; Tennessee Valley Authority, 936; Department of Justice, 598; Federal Works Agency, 460; and the War Manpower Commission, 347, which is due in part to the liquidation of the National Youth Administration.

I ask that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Calendar No. 690

78TH CONGRESS
2D SESSION

S. 1647

[Report No. 676]

IN THE SENATE OF THE UNITED STATES

JANUARY 15 (legislative day, JANUARY 11), 1944

Mr. WALSH of Massachusetts introduced the following bill; which was read twice and referred to the Committee on Naval Affairs

FEBRUARY 3 (legislative day, JANUARY 24), 1944

Reported by Mr. WALSH of Massachusetts, with an amendment

[Insert the part printed in italic]

A BILL

To amend the Act approved March 2, 1895, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 of the Act of Congress approved March 2,
4 1895 (28 Stat. 807), as amended by an Act approved
5 March 8, 1928 (45 Stat. 247), is further amended by insert-
6 ing in the third line of the proviso as it appears on page
7 247 of volume 45 of the United States Statutes at Large,
8 after the word "employees" the following: "and bonded
9 officers and enlisted men of the *Army*, Navy, Marine Corps,
10 and Coast Guard."

A BILL

To amend the Act approved March 2, 1895, as amended.

By Mr. WALSH of Massachusetts

JANUARY 15 (legislative day, JANUARY 11), 1944
Read twice and referred to the Committee on Naval
Affairs

FEBRUARY 3 (legislative day, JANUARY 24), 1944
Reported with an amendment

AMENDING THE ACT APPROVED MARCH 2, 1895, AS
AMENDED

FEBRUARY 3 (legislative day, JANUARY 24), 1944.—Ordered to be printed

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs,
submitted the following

REPORT

[To accompany S. 1647]

The Committee on Naval Affairs, to whom was referred the bill (S. 1647) to amend the act approved March 2, 1895, as amended, having considered the same, report favorably thereon with an amendment, and recommend that the bill do pass.

The purpose of the bill is to amend the act approved March 2, 1895 (6 U. S. C. 3) as amended, so that it will provide that the payment and acceptance of the annual premiums on corporate surety bonds shall be a compliance with the requirement for renewal of such bonds of bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard. At present the law so provides as to postal officers and employees and the bill would extend the provision to cover bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard.

Under the act of March 2, 1895, every official charged with the approval of official bonds is required to cause all bonds under his cognizance to be renewed every 4 years or oftener if deemed necessary. Treasury Department Circular No. 197, issued December 1, 1898 (5 Comp. Dec. 988), requires that, upon the execution of a new bond, the bonded officer or man must close out his accounts under the old bond and deposit any unexpended balances before any advances are made under the new bond.

Literal compliance with these instructions in a number of cases is impossible and, with the approval of the Comptroller General, they have been modified to permit an officer to deposit funds needed for immediate use with some other proper disbursing officer, if it is not practicable to deposit any unexpended balances. When even this procedure is not feasible, officers outside the United States have retained their unexpended balances but have had such balances

verified by two disinterested persons and have supported their accounts current under the old bonds with certificates signed by such persons.

To follow any of the above procedures is impossible in many cases, particularly in time of war, and the bill, by eliminating the requirement for formal renewal of bonds every 4 years, would correct such situations.

The amendment to the act of March 2, 1895, by the act of March 8, 1928 (45 Stat. 247) was enacted, apparently at the behest of the Post Office Department following the receipt by that Department of an opinion of the Comptroller General (7 Comp. Gen. 43) to the effect that annual payment of premiums on corporate surety bonds could not be construed as compliance with the provisions of the act of March 2, 1895, requiring renewal of such bonds every 4 years.

In urging a relaxation of the requirement for renewal of bonds, the Postmaster General in a letter to the Comptroller General dated June 16, 1927, invited attention to the large amount of effort and expense incident thereto and the fact that little or nothing was accomplished in protecting the Government's financial interests by having a new document executed every 4 years. These arguments would apply with equal or greater force to the situation now prevailing in the Army and Navy.

The bill, if enacted into law, would involve no additional expense to the Government.

The bill was introduced at the request of the Navy Department.

At the request of the War Department, the bill was amended by the committee to include the Army.

The bill meets with the approval of the Comptroller General, and has been cleared by the Bureau of the Budget.



the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

TITLES FOR HEADS OF STAFF DEPARTMENTS OF UNITED STATES MARINE CORPS

The bill (S. 1653) to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That hereafter officers serving as heads of the Paymaster's Department and the Quartermaster's Department of the United States Marine Corps shall have the title of "The Paymaster General of the Marine Corps" and "The Quartermaster General of the Marine Corps," respectively.

Sec. 2. All laws or parts of laws now in force relating to the staff departments of the United States Marine Corps, except as provided in section 1 of this act, shall remain in full force and effect.

SGT. MAJ. RICHARD SHAKER

The bill (S. 1676) for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sergeant Major Shaker, United States Marine Corps, the sum of \$85, which sum represents the value of a radio lost while in the custody of the Marine Corps authorities at Quantico, Va.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

LT. (JR. GR.) NEWT A. SMITH

The bill (S. 1677) for the relief of Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Va., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$272.50 to reimburse Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of the Aviation Free Gunnery Unit, Dam Neck, Va.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

REIMBURSEMENT OF CERTAIN MARINE CORPS PERSONNEL FOR LOSS OF PROPERTY

The bill (S. 1681) to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,483.36, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Marine Corps personnel for the value of personal property lost or damaged in a fire that destroyed quarters assigned to certain officers of Marine Utility Squadron 152 on February 9, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

RENEWAL OF CORPORATE SURETY BONDS FOR OFFICERS AND MEN OF ARMED FORCES

The Senate proceeded to consider the bill (S. 1647) to amend the act of March 2, 1895, as amended, which had been reported from the Committee on Naval Affairs, with an amendment, on page 1, line 9, after the words "enlisted men of the", to insert "Army," so as to make the bill read:

Be it enacted, etc., That section 5 of the act of Congress approved March 2, 1895 (28 Stat. 807), as amended by an act approved March 8, 1928 (45 Stat. 247), is further amended by inserting in the third line of the proviso as it appears on page 247 of volume 45 of the United States Statutes at Large, after the word "employees" the following: "and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL SHIP-REPAIR FACILITIES FOR THE NAVY

The Senate proceeded to consider the bill (S. 1668) authorizing appropriations for the United States Navy for additional ship-repair facilities, and for other purposes, which had been reported from the Committee on Naval Affairs, with an amendment, on page 2, after line 5, to insert:

SEC. 3. The Secretary of the Navy from time to time, but not less frequently than every 60 days, shall transmit to the Congress a full report of all acquisitions of land, by lease or otherwise, effected under the authority of this act.

So as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any

money in the Treasury not otherwise appropriated, \$130,000,000 for essential equipment and facilities at either private or public plants for repairing, altering, or converting any vessel operated by the Navy or the War Shipping Administration or being prepared for the use of either.

Sec. 2. The authority herein granted shall include the authority to acquire lands at such locations as the Secretary of the Navy may deem best suited to the purpose of the authority herein contained, erect or extend buildings, acquire the necessary machinery and equipment, and shall be in addition to all authority heretofore granted for these purposes.

Sec. 3. The Secretary of the Navy from time to time, but not less frequently than every 60 days, shall transmit to the Congress a full report of all acquisitions of land, by lease or otherwise, effected under the authority of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACCEPTANCE OF GIFTS AND BEQUESTS FOR UNITED STATES NAVAL ACADEMY

The bill (S. 1640) to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized in his discretion to accept, receive, hold, administer, and expend gifts and bequests of personal property, from individuals or others, for the benefit of, or for use in connection with, the United States Naval Academy.

Sec. 2. Gifts or bequests of money or the proceeds from sales of other property received as gifts shall be deposited in the Treasury of the United States under the title "United States Naval Academy general gift fund," and any funds so deposited shall be subject to disbursement by the Secretary of the Navy for the benefit or use of the United States Naval Academy subject to the terms and conditions of the acceptance of any particular gift or bequest.

Sec. 3. Gifts and bequests accepted by the Secretary of the Navy under authority of this act shall be exempt from all Federal taxes.

Sec. 4. The Secretary of the Treasury is authorized, upon request of the Secretary of the Navy, to invest, reinvest, or retain investments of the money or securities composing the United States Naval Academy general gift fund, or any part thereof, deposited in the Treasury pursuant to section 2 of this act, in securities of the United States Government or in securities guaranteed as to principal and interest by the United States Government. The interest and profits accruing from such securities may be deposited to the credit of the United States Naval Academy general gift fund, and will be available for disbursement as provided in section 2 of this act.

COMPACT RELATING TO WATERS OF THE BELLE FOURCHE RIVER BASIN

The bill (H. R. 2580) to grant the consent of Congress to a compact entered into by the States of South Dakota and Wyoming relating to the waters of the Belle Fourche River Basin, to make provisions concerning the exercise of Federal jurisdiction as to those waters, to promote the most efficient use of those waters, and for other purposes, was con-

sidered, ordered to a third reading, read the third time, and passed.

CARRYING OF CIVIL-WAR BATTLE STREAMERS WITH REGIMENTAL COLORS

The Senate proceeded to consider the bill (S. 1539) to authorize the carrying of Civil War battle streamers with regimental colors, which had been reported from the Committee on Military Affairs, with an amendment, on page 1, line 6, after the word "colors", to insert a comma and the words "upon verification in the War Department that such streamers were carried by the regiment in the Civil War", so as to make the bill read:

Be it enacted, etc., That, in accordance with such regulations as the Secretary of War may prescribe, each regiment of the Army of the United States is hereby authorized to carry its Civil War battle streamers with its regimental colors, upon verification in the War Department that such streamers were carried by the regiment in the Civil War.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALLOWANCES FOR MILEAGE OF MILITARY ACADEMY GRADUATES

The Senate proceeded to consider the bill (S. 1669) to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets, which had been reported from the Committee on Military Affairs, with an amendment, on page 3, line 5, after the word "abode", to insert "or home, school, or Army station", so as to make the bill read:

Be it enacted, etc., That officers graduated from the United States Military Academy when traveling under competent orders to the first station to which they are permanently assigned for duty shall receive the mileage allowance authorized by law for officers of the Army traveling under competent orders without troops, for the distance actually traveled under such orders, not to exceed the distance by the shortest usually traveled route from their homes or from West Point, N. Y., as may be designated in their orders, to such first duty stations. The orders mentioned in the first sentence of this section shall be deemed to involve a "permanent change of station" as those words are used in the fifth paragraph of section 12, Pay Readjustment Act of 1942 (act of June 16, 1942; 56 Stat. 365), and the rights of the officers concerned shall be governed by the provisions of that paragraph with respect to the transportation of their dependents and household effects. That portion of the act of August 9, 1912 (37 Stat. 252; 10 U. S. C. 744), which reads as follows: "Provided further, That hereafter a graduate of the Military Academy shall receive mileage as authorized by law for officers of the Army from his home to the station which he first joins for duty," is hereby repealed. The provisions of this section shall be effective as of January 19, 1943; *Provided*, That no person shall suffer, by reason of the enactment of this act, any reduction in any allowance or compensation which he has been paid or to which he was entitled immediately prior thereto.

Sec. 2. A person entering the United States Military Academy as a cadet shall receive a

mileage allowance at the rate of 5 cents per mile for all travel which he actually performs, and which he certifies he has actually performed while proceeding to the United States Military Academy for admission as a cadet, not in excess of the distance by the shortest usually traveled route between the place which he certifies was his actual permanent place of abode or home, school, or Army station at the time such travel was commenced and the United States Military Academy. All payments to such persons for travel to the United States Military Academy made on or after June 1, 1940, to the extent that they involve questions as to the place from which payment of mileage was authorized, are hereby approved, ratified, and confirmed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIMINATION OF PAY DISCRIMINATION AGAINST TEACHER OF MUSIC, UNITED STATES MILITARY ACADEMY

The bill (S. 1635) to eliminate a pay discrimination against the teacher of music at the United States Military Academy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to make better provision for the teacher of music, the leader of the Military Academy Band," approved May 27, 1940 (54 Stat. 223), is amended by striking out the words "third pay period", wherever they occur in such act, and inserting in lieu thereof the words "grade of captain."

BILL AND RESOLUTION PASSED OVER

The bill (S. 1509) to provide for the education and training of members of the armed forces and the merchant marine after their discharge or conclusion of service, and for other purposes was announced as next in order.

Mr. BYRD. Mr. President, this is a very important bill. I ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 234) to pay a gratuity to Della M. Bender was announced as next in order.

Mr. WHITE. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

UNITED NATIONS RELIEF AND REHABILITATION ORGANIZATION—JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization was announced as next in order.

Mr. BARKLEY. Mr. President, the joint resolution is scheduled to come up tomorrow. Later in the day I may ask to have it made the unfinished business, with the understanding that it will not be taken up today.

I ask that the joint resolution be passed over.

The PRESIDING OFFICER. The joint resolution will be passed over.

That concludes the calendar.

PERSONAL STATEMENT

Mr. McKELLAR. Mr. President, on yesterday, Monday, February 14, Frank

C. Waldrop, a so-called columnist, had this to say in his column in the Times-Herald in speaking of the Latin-American expenditures matter:

The smear artist shot the hypo to Senator K. D. McKELLAR (Democrat) of Tennessee and handed him a speech to make at Senator BUTLER.

This statement is a wilful, deliberate, and malicious lie out of whole cloth and shows Waldrop to be an assassin of character. Not only did I not make a speech that somebody else wrote in this particular matter, but never in my 27 years' service in the Senate have I made a speech that anyone else wrote. Waldrop is a miserable and ignorant liar. I am quite sure that the other 95 Senators who have served with me and the many others who served with me and who have left the Senate, will all bear witness with me that I prepare and make my own speeches, and that I do not make speeches on the floor of the Senate that other persons prepare for me. If any Senator feels that he knows of an instance to the contrary, I ask him to rise and say so.

POST-WAR COMMITMENTS BY UNITED NATIONS

Mr. SHIPSTEAD obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. SHIPSTEAD. For what purpose?

Mr. HATCH. A little while ago I gave notice that as soon as the calendar was concluded I wished to return to a certain measure on the calendar, to which I should like to refer before other business is taken up.

The PRESIDING OFFICER. The Senator from Minnesota desires to address the Senate.

Mr. SHIPSTEAD. Mr. President, I do not yield.

Mr. President, on November 5, 1943, I urged the Senate not to rush into an uninformed endorsement of what was reported to have been agreed to at Moscow. An overwhelming majority of the Senate felt it better, however, to endorse at once the general principles communicated to us by the press as the solemn conclusion of the representatives, respectively, of the President of the Union of Soviet Socialist Republics, the King of England and Emperor of India, and the President of the United States.

The Declaration of Moscow was approved by the Senate even before the Secretary of State had come before any of its committees, or had addressed a joint session of the Senate and House of Representatives.

Less than 14 weeks later, on February 15, we find that two great regional federations are fast emerging as trustees for the future peace, sovereignty, and freedom of thought and belief, from want and fear, of a large part of the world. The U. S. S. R. has taken steps to decentralize its public administration, even to the extent of splitting up collective representation in foreign affairs among all its component parts.

The Soviet Federation has provided a formal basis for the incorporation within its membership of any or all Slavonic,

priations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill be passed.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their own remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[The matter referred to appears in the Appendix.]

THE LATE HARRY B. WOLF

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, with regret I rise to call the attention of the House to the death yesterday of one of my predecessors, Harry B. Wolf, formerly Congressman from the Third District of Maryland, who served in the Fifty-ninth Congress, 1905 to 1907.

Mr. Wolf had always been active in the business and political life of our community and had earned a great reputation as one of the most brilliant cross-examiners at the Maryland bar.

His death yesterday came as a shock to his many friends in Baltimore and throughout the State.

He was a devoted husband and father. My heartfelt sympathy goes to his widow and his family, two members of which are now serving in the armed forces, one son, Lt. Col. Edwin J. Wolf, with the Engineer Corps in China, and Capt. Frederick S. Wolf, flight surgeon, Medical Corps, in England.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Michigan [Mr. HOFFMAN] be permitted to extend his own remarks in the RECORD in two instances, and to include editorials in each.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. MANSFIELD] be permitted to extend his own remarks in the RECORD and include therein a letter addressed to him.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain letters and telegrams received in reference to the bill H. R. 4000 by the chairman of the Committee on Military Affairs and by myself.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech delivered by Mr. W. E. Patterson, an attorney of Prescott, Ariz.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and to include therein certain excerpts from the hearings on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement on shipping and shipbuilding on the Great Lakes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[The matter referred to appears in the Appendix.]

ADJOURNMENT UNTIL MONDAY NEXT

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BURCH of Virginia (at the request of Mr. DREWRY), for the remainder of the week, on account of illness.

To Mr. FULBRIGHT, from February 21 to 26, on account of official business.

To Mr. TALBOT, for 1 week, on account of official business.

To Mr. McWILLIAMS, for 1 week, on account of official business.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 662. An act to authorize pensions for certain physically or mentally helpless children, and for other purposes; to the Committee on Invalid Pensions.

S. 1428. An act to amend the provisions of the act authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of officers, enlisted men, or nurses of the Navy or Marine Corps, and for other purposes; to the Committee on Naval Affairs.

S. 1647. An act to amend the act approved March 2, 1895, as amended; to the Committee on Naval Affairs.

S. 1658. An act to extend for 1 year the date of termination of Public Law 22, dated April 1, 1943, entitled "To provide for a temporary increase in compensation for certain employees of the District of Columbia government and the White House Police force"; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3193. An act for the relief of J. C. Davidson and Vassie Lee Davidson;

H. R. 3298. An act for the relief of Nels J. Pedersen; and

H. R. 3351. An act for the relief of Howard L. Pemberton.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 375. An act for the relief of the Phoenix-Tempe Stone Co.;

S. 1140. An act to provide for the appointment of an additional Assistant Secretary of the Interior; and

S. 1528. An act for the relief of Col. Anderson F. Pitts.

BILLS PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On February 17, 1944:

H. R. 3477. An act to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of an-

nual appraisal of its assets, and for other purposes.

On February 18, 1944:

H. R. 205. An act conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes;

H. R. 213. An act for the relief of Edward H. Smith;

H. R. 399. An act for the relief of John Sims;

H. R. 547. An act for the relief of Kernan R. Cunningham;

H. R. 550. An act for the relief of Renzie Graham;

H. R. 610. An act for the relief of Pacific Dry Dock & Repair Co., Inc.;

H. R. 850. An act for the relief of George M. Louie;

H. R. 1311. An act for the relief of Dan Crotts;

H. R. 1333. An act to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes;

H. R. 1442. An act for the relief of Lafayette Gibson;

H. R. 1467. An act to record the lawful admission to the United States for permanent residence of Rev. Julius Paal;

H. R. 1854. An act for the relief of Ethel Cohen;

H. R. 1872. An act for the relief of J. E. McCoy and Son;

H. R. 1934. An act for the relief of Mrs. Donald S. Johnston;

H. R. 2075. An act for the relief of Charles R. Hooper;

H. R. 2199. An act to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia", approved February 28, 1898, as amended;

H. R. 2340. An act for the relief of the Postal Telegraph-Cable Co.;

H. R. 2580. An act to grant the consent of Congress to a compact entered into by the States of South Dakota and Wyoming relating to the waters of the Belle Fourche River Basin, to make provisions concerning the exercise of Federal jurisdiction as to those waters, to promote the most efficient use of those waters, and for other purposes;

H. R. 2639. An act for the relief of William M. Tucker and Nelda M. Tucker;

H. R. 2690. An act for the relief of Oswald L. Sawyer;

H. R. 2691. An act for the relief of Tom S. Steed;

H. R. 2804. An act for the relief of Ruth E. P. Phillips, as executrix of the estate of Amos Russell Phillips, deceased;

H. R. 2924. An act to give effect to the Provisional Fur Seal Agreement of 1942 between the United States of America and Canada; to protect the fur seals of the Pribilof Islands; and for other purposes;

H. R. 2976. An act to grant military rank to certain members of the Navy Nurse Corps;

H. R. 3001. An act for the relief of James T. Rogers;

H. R. 3076. An act for the relief of the legal guardian of Arthur J. Martin, Jr., a minor;

H. R. 3153. An act for the relief of the estate of Jennie I. Weston, deceased;

H. R. 3189. An act for the relief of Thomas Lewis;

H. R. 3329. An act for the relief of Lt. Col. Charles H. Morhouse;

H. R. 3332. An act for the relief of Spencer Meeks;

H. R. 3428. An act to amend sections 6, 7, and 8 of the act entitled "An act to provide for the leasing of coal lands in the Territory

of Alaska, and for other purposes," approved October 20, 1914 (38 Stat. 741, 743; 48 U. S. C., secs. 440, 441, 442);

H. R. 3504. An act for the relief of Wade Bros., a partnership composed of M. J., G. W., and Ovid Wade;

H. R. 3605. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires in tents used as quarters by members of the Twelfth Naval Construction Battalion, Long Island, Alaska, on December 26, 1942, and May 26, 1943, respectively;

H. R. 3606. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire at the outlying degaussing branch of the Norfolk Navy Yard, Portsmouth, Va., on December 4, 1942;

H. R. 3607. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in tent L-76 at the Amphibious Training Base, Camp Bradford, Norfolk, Va., on March 15, 1943;

H. R. 3760. An act authorizing the President to present, in the name of Congress, a Distinguished Service Medal to Lt. Gen. Thomas Holcomb, United States Marine Corps; and

H. R. 3916. An act to permit the construction and use of certain pipe lines for pneumatic tube transmission in the District of Columbia.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p. m.), under its previous order, the House adjourned until Monday, February 21, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PATENTS

(Thursday, February 24, 1944)

The Committee on Patents will hold a public hearing on Thursday, February 24, 1944, at 10 a. m. to consider H. R. 3264, to amend the patent laws.

SCHEDULE OF HEARINGS ON FLOOD-CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backing of sound flood-control projects available following the war.

1. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

2. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1204. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 11, 1943, submitting a report, together with accompanying papers, on a review of reports on the Great Lakes-Hudson River Waterway, with a view to determining whether improvement of the section from Three Rivers Point to the Niagara River is advisable, requested

by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on June 8, 1938; to the Committee on Rivers and Harbors.

1205. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 10, 1943, submitting a report, together with accompanying papers, on a review of reports on flood-control works in the alluvial valley of the Mississippi River, with a view to determining the extent of damage to crops and lands adjacent to the Intracoastal Waterway, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on June 6, 1939; to the Committee on Flood Control.

1206. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 17, 1943, submitting a report, together with accompanying papers, on a review of a report on the Ohio River, with a view to providing protective works in the vicinity of the mouth of the Saline River and for the protection of interstate highways and railroads from floods, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on June 16, 1938; to the Committee on Flood Control.

1207. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 20, 1943, submitting a report, together with accompanying papers on a review of reports on Pass Cavallo, Tex., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on May 24, 1939; to the Committee on Rivers and Harbors.

1208. A letter from the Chairman, Reconstruction Finance Corporation, transmitting the report of the Reconstruction Finance Corporation for the month of November 1943; to the Committee on Banking and Currency.

1209. A letter from the Secretary of War, transmitting a report dated December 10, 1943, from the Chief of Engineers, United States Army, together with accompanying papers, on a review of reports on channel from Pass Cavallo to Port Lavaca, Tex.; to the Committee on Rivers and Harbors.

1210. A letter from the Secretary of War, transmitting a report dated January 6, 1944, from the Chief of Engineers, United States Army, together with accompanying papers, on a review of reports on Sackets Harbor, N. Y.; to the Committee on Rivers and Harbors.

1211. A letter from the Administrator, Office of Price Administration, transmitting the seventh report of the Office of Price Administration, covering the period ended September 30, 1943; to the Committee on Banking and Currency.

1212. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to assist the States to establish and maintain school lunch programs; to the Committee on Education.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. House Resolution 430. Resolution requesting information as to the status of Walter Winchell. (Rept. No. 1162). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COCHRAN:

H. R. 4227. A bill to provide for determination of claims for benefits under the laws administered by the Veterans' Administration with respect to persons discharged from the armed forces because of disability, prior

78TH CONGRESS
2D SESSION

S. 1647

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1944

Referred to the Committee on Naval Affairs

AN ACT

To amend the Act approved March 2, 1895, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 of the Act of Congress approved March 2,
4 1895 (28 Stat. 807), as amended by an Act approved
5 March 8, 1928 (45 Stat. 247), is further amended by insert-
6 ing in the third line of the proviso as it appears on page
7 247 of volume 45 of the United States Statutes at Large,
8 after the word "employees" the following: "and bonded
9 officers and enlisted men of the Army, Navy, Marine Corps,
10 and Coast Guard."

Passed the Senate February 15 (legislative day, February 7), 1944.

Attest:

EDWIN A. HALSEY,

Secretary.

AN ACT

To amend the Act approved March 2, 1895, as amended.

FEBRUARY 18, 1944

Referred to the Committee on Naval Affairs

discharge the duties resting upon those of us who had been privileged to serve on that important committee. He was a man devoted to public service, a man of outstanding ability. He was a Democrat in the broad application of that term. His heart beat in tune with the welfare, and every fiber of his being was dedicated to the best interests, of the masses of the people. He was a man of devoted patriotism to this great country of ours and of demonstrated devotion to the people whom he was privileged to serve. His wise counsel, his kind and gentle spirit will be missed by those of us who endeavor to carry on during these important days in the history of this great Nation of ours. I feel that we express our true sentiment and feelings when we extend our deepest sympathy to his dear wife and loved ones. Mr. Speaker, we shall always cherish his memory and endeavor to emulate his high character and his noble life.

Mr. MARCANTONIO. Mr. Speaker, when I first came to Congress in January 1935, I was advised by my friends in New York to seek the counsel and friendship of TOM CULLEN. The very first day I got here I went to see him. He befriended me and since then he has been one of my sincerest friends in the House. His counsel, his good advice, and his personal warmth I shall miss for many, many years.

Mr. RAYBURN. Mr. Speaker, I am more than moved by the incident that brought about the occasion for these remarks today. I knew TOM CULLEN as I have known few men. He was one of the truest and one of the best men that God ever put the breath of life into. Knowing him as I did, I know that when he was called to meet his Maker face to face, Tom was ready.

Today, out there somewhere, where good, fine, and great spirits dwell, when his approached, it was received as an equal with the greatest of them.

Mr. RANKIN. Mr. Speaker, the silver cord is loosed, and the golden bowl is broken. The spirit of another friend has taken its flight; TOM CULLEN is no more.

His familiar figure, his gentle voice, his smiling face, and his friendly greeting will not be here to cheer us onward in the great struggles in which we now find ourselves engaged.

But the lingering memories of his manly example, the sacred recollections of his encouraging words, the ever-recurring reflections on his deep sincerity, his unfeigned friendship, and his patriotic devotion to the cause of his country will remain as lasting inspirations to us, his sorrowing comrades, who still linger "along this bank and shoal of time."

It seems but yesterday that I first entered this House and was introduced to our distinguished, and now departed, colleague from New York. From that day to this my esteem and admiration for him has grown steadily, and especially as I have seen him in the throes of those ordeals that "try the souls of men."

Some new Member will take the seat he occupied in this House, but no one can fill his place. He has so indelibly written

his name on the hearts of his fellow Members that time and trial cannot erase it.

TOM CULLEN was a Christian gentleman. He lived a Christian, he died a Christian, he has gone to a Christian's reward.

Mr. LUTHER A. JOHNSON. Mr. Speaker, the death last night of THOMAS H. CULLEN, of Brooklyn, removed one of the landmarks of Congress. He became a Member on March 4, 1919, and had he lived 3 days longer, would have completed 25 years of continuous service as a Member of this House.

During his entire service, he has been one of the outstanding Members of the House, and for many years was the leader of the Democratic delegation from New York.

He was a man of fine ability, of noble character, and devoted to duty. He was benevolent and kind and considerate of others, and won the friendship of the entire membership of the House. During my service here, I had grown to know him and have an affectionate regard for him.

For the past few years he had been in failing health, but his devotion to duty was such that he continued faithful in his attendance on the sessions of the House, almost to the end.

His district, the State of New York, and the Nation have lost an able and faithful public servant, and I shall always revere his memory and prize very highly the privilege of having known him and served with him in this body.

Mr. CAPOZZOLI. Mr. Speaker, it was with a great feeling of sorrow that I learned of the passing of our distinguished colleague, TOM CULLEN.

Truly there is little one can say on an occasion of this kind. All we know is that never again shall we enjoy the presence of this kindly, friendly personality.

Although he was dean of the New York delegation, he never permitted his great and long experience in the Congress from interfering with his desire to mix with the newest comer in the House in order to render every assistance.

I recall with great pleasure his acts of kindness to me when I first came to the Congress. All of us have had the experience of the newcomer. There is much to learn and how grateful we feel toward the experienced Member who takes us in tow and tries to help us in learning the preliminaries.

Indeed, we shall miss him greatly here, but I doubt that we shall miss him more than the people of his own district. They had learned to rely on him so much in the many years of his service that it will be difficult to adjust themselves to his absence. He was adviser and counselor to all of them.

To the family of our departed colleague I extend my deepest sympathy.

May the Great Judge of us all grant eternal rest to the soul of our late friend.

Mr. SOMERS of New York. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks in the Record on the life and character of the late THOMAS H. CULLEN.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SOMERS of New York. Mr. Speaker, I present a resolution (H. Res. 456), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. THOMAS H. CULLEN, a Representative from the State of New York.

Resolved, That a committee of 31 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following committee: Mr. BLOOM, Mr. SOMERS of New York, Mr. DOUGHTON, Mr. REED of New York, Mr. FISH, Mr. CELLER, Mr. DICKSTEIN, Mr. TABER, Mr. FITZPATRICK, Mr. KENNEDY, Mr. DELANEY, Mr. ANDREWS, Mr. WADSWORTH, Mr. BARRY, Mr. BUCKLEY, Mr. MERRITT, Mr. O'LEARY, Mr. PFEIFER, Mr. BYRNE, Mr. KEOGH, Mr. LEONARD W. HALL, Mr. O'TOOLE, Mr. LYNCH, Mr. BALDWIN of New York, Mr. CAPOZZOLI, Mr. HEFFERNAN, Mr. KLEIN, Mr. FAY, Mr. MARCANTONIO, Mr. BURCHILL of New York, and Miss STANLEY.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; accordingly (at 1 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, March 2, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

Thursday, March 2, 1944

Hearings will be continued on H. R. 2426 in the Roads Committee room, 1011 New House Office Building, at 10 a. m. Thursday, March 2, 1944.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(Thursday, March 2, 1944)

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Thursday, March 2, 1944, in the caucus room of the Old House Office Building, for the consideration of post-war planning.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(Friday, March 3, 1944)

There will be a meeting of the subcommittee of the House Committee on the Merchant Marine and Fisheries, investigating the shortage of steel, at 10 a. m. Friday, March 3, 1944, in the Patents Committee room, 416 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1252. A letter from the Chairman, District Unemployment Compensation Board, transmitting in accordance with section 13 (c) of the District of Columbia Unemployment Compensation Act, report covering the administration and operation of the said act for the calendar year 1943; to the Committee on the District of Columbia.

1253. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved August 18, 1942, entitled "An act to facilitate the disposition of prizes captured by the United States during the present war, and for other purposes"; to the Committee on the Judiciary.

1254. A letter from the Postmaster General, transmitting a copy of a letter addressed to the Director of the Bureau of the Budget, certifying that the Post Office Department is within the quota set by that Bureau under date of January 25, 1944, for each of the appropriation units involved; to the Committee on the Civil Service.

1255. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a copy of the estimate of the number of employees required for the proper and efficient exercise of the functions of the Reconstruction Finance Corporation and its subsidiaries for the quarter beginning January 1, 1944; to the Committee on the Civil Service.

1256. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1257. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 96 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

1258. A letter from the Director, Selective Service System, transmitting the list of 18-through 37-year-old registrants deferred because of their employment in or under the Federal Government on December 15, 1943; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. IZAC: Committee on Naval Affairs. S. 1349. An act to authorize the Secretary of the Navy to convey to the city of New York certain lands within the Brooklyn Navy Yard in the city of New York; without amendment (Rept. No. 1207). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE of New York: Committee on Naval Affairs. S. 1428. An act to amend the provision of the act authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of officers, enlisted men, or nurses of the Navy or Marine Corps, and for other purposes; without amendment (Rept. No. 1208). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINCENT of Kentucky: Committee on Naval Affairs. S. 1640. An act to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes; without amendment (Rept. No. 1209). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRANT of Indiana: Committee on Naval Affairs. S. 1647. An act to amend

the act approved March 2, 1895, as amended; with amendment (Rept. No. 1210). Referred to the Committee of the Whole House on the state of the Union.

Mr. HESS: Committee on Naval Affairs. S. 1653. An act to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes; without amendment (Rept. No. 1211). Referred to the House Calendar.

Mr. GALE: Committee on Indian Affairs. H. R. 872. A bill to declare that the United States holds certain lands in trust for the Minnesota Chippewa Tribe; without amendment (Rept. No. 1213). Referred to the Committee of the Whole House on the state of the Union.

Mr. GALE: Committee on Indian Affairs. H. R. 2085. A bill to provide for the disposition of tribal funds of the Minnesota Chippewa Tribe of Indians; without amendment (Rept. No. 1214). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 3259. A bill to clarify the application of section 1 (b) of Public Law 17, Seventy-eighth Congress, to certain services performed by seamen as employees of the United States through the War Shipping Administration; with amendment (Rept. No. 1215). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. S. 176. An act for the relief of Austin L. Tierney; with amendment (Rept. No. 1199). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. S. 391. An act for the relief of Jack Lecler Haas; without amendment (Rept. No. 1200). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. S. 393. An act for the relief of William Kovatis; without amendment (Rept. No. 1201). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. S. 397. An act for the relief of Lt. (Jr. Gr.) Svend J. Skou; without amendment (Rept. No. 1202). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. S. 1427. An act to authorize the appointment of Gregory Boyington a first lieutenant in the Marine Corps; without amendment (Rept. No. 1203). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 634. A bill to provide for the advancement of Rear Admiral Emory S. Land, Construction Corps, United States Navy, retired, to the rank of vice admiral; without amendment (Rept. No. 1204). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. H. R. 2337. A bill for the relief of John Joseph Defeo; with amendment (Rept. No. 1205). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. H. R. 3247. A bill for the relief of Joseph Langhorne Walker; without amendment (Rept. No. 1206). Referred to the Committee of the Whole House.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. H. R. 242. A bill for the relief of Capt. Malcolm K. Beyer; without amendment (Rept. No. 1212). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WELCH:

H. R. 4307. A bill to amend the Canal Zone Code; to the Committee on the Merchant Marine and Fisheries.

By Mr. GERLACH:

H. R. 4308. A bill to provide for the presentation of duplicate military decorations to mothers of certain deceased members or deceased former members of the armed forces entitled to such decorations; to the Committee on Military Affairs.

By Mr. BLAND:

H. Res. 457. Resolution providing for the payment of the expenses of the investigation authorized by House Resolution 52; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HENDRICKS:

H. R. 4309. A bill for the relief of Ros Lee Foreman; to the Committee on Claims.

By Mr. SIMPSON of Illinois:

H. R. 4310. A bill for the relief of J. P. Kerr and Robert P. Kerr; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5127. By Mr. DOUGLAS: Petition of sundry citizens of Rome, N. Y., and vicinity, protesting against enactment of any prohibition legislation; to the Committee on the Judiciary.

5128. By Mr. GRAHAM: Petition of 15 residents of Beaver County, urging the enactment of House bill 3917 covering the American Legion's legislative proposals for a bill of rights for the veterans of World War No. 2; to the Committee on World War Veterans' Legislation.

5129. By Mr. KEARNEY: Petitions containing the signatures of 766 citizens of the Thirtieth Congressional District of New York State, protesting against the enactment by Congress of any prohibition legislation; to the Committee on the Judiciary.

5130. By Mr. KUNKEL: Two petitions from Harrisburg, Pa. (one containing 56 names and the other 31 names) protesting against the Bryson bill; to the Committee on the Judiciary.

5131. By the SPEAKER: Petition of the Secretary of the Tucson Chamber of Commerce, Tucson, Ariz., petitioning consideration of their resolution with reference to the world-wide aviation; to the Committee on Interstate and Foreign Commerce.

5132. Also, petition of the general president, Brotherhood of Railway Carmen of America, Kansas City, Mo., petitioning consideration of their resolution with reference to the National Service Act; to the Committee on Military Affairs.

5133. Also, petition of the president, Oriental Benevolent Association, Wailuku, Maui, T. H., petitioning consideration of their resolution with reference to the Randolph naturalization bill; to the Committee on Immigration and Naturalization.

5134. Also, petition of the Independence Committee of Puerto Rico, Caguas, P. R., petitioning consideration of their resolution with reference to the independence of Puerto Rico; to the Committee on Insular Affairs.

5135. Also, petition of the Chamber of Commerce of Tyler, Tex., petitioning consideration of their resolution with reference to freight-rate matters; to the Committee on Interstate and Foreign Commerce.

AMENDING THE ACT APPROVED MARCH 2, 1895, AS
AMENDED

MARCH 1, 1944.—Committed to the Committee of the Whole House on the state
of the Union and ordered to be printed

Mr. GRANT of Indiana, from the Committee on Naval Affairs, sub-
mitted the following

R E P O R T

[To accompany S. 1647]

The Committee on Naval Affairs, to whom was referred the bill (S. 1647) to amend the act approved March 2, 1895, as amended, having considered the same, report favorably thereon with an amendment and recommend that the bill, as amended, do pass.

The amendment is as follows:

Strike out all of the bill after the word "following:" in line 8 and substitute therefor the following:

"officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

The purpose of the bill is to provide that the payment and acceptance of the annual premiums on corporate surety bonds shall be a compliance with the requirements of present law for renewal of bonds by bonded officers and enlisted men of the Navy, Marine Corps, and Coast Guard.

Under the act of March 2, 1895, every official charged with the responsibility of approving bonds is required to have all bonds under his cognizance renewed not less frequently than once each 4 years. Treasury Department regulations require that upon execution of a new bond, the bonded officer or man must close out his accounts and reopen them under the new bond.

In times of peace these requirements were not too onerous but in times of war they have been found to be impossible of literal application. Quite often bonded officers and men are outside the United States when their bonds must be renewed and consequently cannot deposit their funds.

These requirements have been eliminated by previous amendment to the basic statute insofar as they relate to the Post Office Department and the bill as introduced would give the same treatment to

the Navy Department by providing that the payment and acceptance of the annual premiums on a bond shall be a compliance with the requirement for renewal of bonds.

By eliminating the requirement for renewal of bonds, a large amount of clerical and administrative work can be dispensed with and substantial savings in money and manpower will be effected. This will be accomplished without lessening in any appreciable degree the protection now afforded the Government.

The bill was introduced at the request of the Navy Department and representatives of that Department appeared before the committee and testified in favor of it.

The War Department has requested that the bill be amended to include its bonded personnel and the Treasury Department has requested that it be amended to include all bonded officers and employees of the United States. The Comptroller General has also indicated that he would favor an enlargement of the scope of the bill to include all bonded officers and employees of the United States.

In the Senate, the bill was amended to include Army officers, employees, and enlisted men.

As the bill would be as beneficial to the other Government departments as to the Navy Department the committee recommends the amendment that will make the provisions of the bill applicable to all bonded officers and employees of the United States.

The following letter from the Secretary of the Navy addressed to the Speaker of the House of Representatives and transmitted by him to the Chairman of the Committee on Naval Affairs of the House of Representatives sets forth the views and recommendation of the Navy Department on this bill. This letter is hereby made a part of this report.

NAVY DEPARTMENT,
Washington, January 14, 1944.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill "to amend the act approved March 2, 1895, as amended."

The purpose of the proposed bill is to amend the act approved March 2, 1895 (6 U. S. C. 3), as amended, so that it will provide that the payment and acceptance of the annual premiums on corporate surety bonds shall be a compliance with the requirement for renewal of such bonds of bonded officers and enlisted men of the Navy, Marine Corps and Coast Guard. At present the law so provides as to postal officers and employees and the bill would extend the provision to cover bonded officers and enlisted men of the Navy, Marine Corps, and Coast Guard.

Under the act of March 2, 1895, every official charged with the approval of official bonds is required to cause all bonds under his cognizance to be renewed every 4 years or oftener if deemed necessary. Treasury Department Circular No. 197 issued December 1, 1898 (5 Comp. Dec. 988) requires that, upon the execution of a new bond, the bonded officer or man must close out his accounts under the old bond and deposit any unexpended balances before any advances are made under the new bond.

Literal compliance with these instructions in a number of cases is impossible and, with the approval of the Comptroller General, they have been modified to permit an officer to deposit funds needed for immediate use with some other proper disbursing officer, if it is not practicable to deposit any unexpended balances. When even this procedure is not feasible, officers outside the United States have retained their unexpended balances but have had such balances verified by two disinterested persons and have supported their accounts current under the old bonds with certificates signed by such persons.

To follow any of the above procedures is impossible in many cases, particularly in time of war and the proposed bill, by eliminating the requirement for formal renewal of bonds every 4 years, would correct such situations.

The amendment to the act of March 2, 1895, by the act of March 8, 1928 (45 Stat. 247) was enacted, apparently at the behest of the Post Office Department following the receipt by that Department of an opinion of the Comptroller General (7 Comp. Gen. 43) to the effect that annual payment of premiums on corporate surety bonds could not be construed as compliance with the provisions of the act of March 2, 1895, requiring renewal of such bonds every 4 years.

In urging a relaxation of the requirement for renewal of bonds, the Postmaster General in a letter to the Comptroller General dated June 16, 1927, invited attention to the large amount of effort and expense incident thereto and the fact that little or nothing was accomplished in protecting the Government's financial interests by having a new document executed every 4 years. These arguments would apply with equal or greater force to the situation now prevailing in the Navy.

The proposed legislation, if enacted into law, would involve no additional expense to the Government.

The Navy Department recommends enactment of the proposed legislation.

The Navy Department has been advised by the Bureau of the Budget that there would be no objection to the submission of the proposed legislation to the Congress.

Sincerely yours,

FRANK KNOX.

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, there follow the provisions of existing law showing the changes which would be made by the proposed legislation (insert the part printed in *italic*):

ACT OF MARCH 2, 1895 (CH. 177, SEC. J. 28 STAT. 807) AS AMENDED BY ACT OF MARCH 8, 1928, CH. 148, 45 STAT. 247)

* * * *Provided*, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees *and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard* shall be a compliance with the requirement for the renewal of such bonds within the meaning of Sections 1-3 of this title.



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Mr. Werner
Solicitor's Office

Union Calendar No. 399

78TH CONGRESS
2D SESSION

S. 1647

[Report No. 1210]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1944

Referred to the Committee on Naval Affairs

MARCH 1, 1944

Reported with an amendment, committed to the Committee of the Whole House
on the state of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend the Act approved March 2, 1895, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 of the Act of Congress approved March 2,
4 1895 (28 Stat. 807), as amended by an Act approved
5 March 8, 1928 (45 Stat. 247), is further amended by insert-
6 ing in the third line of the proviso as it appears on page
7 247 of volume 45 of the United States Statutes at Large,
8 after the word "employees" the following: "~~and bonded~~
9 ~~officers and enlisted men of the Army, Navy, Marine Corps,~~
10 ~~and Coast Guard.~~" *"officers and employees of other civilian*

1 agencies of the United States and bonded officers and enlisted
 2 men of the Army, Navy, Marine Corps, and Coast Guard."

Passed the Senate February 15 (legislative day, February 7), 1944.

Attest:

EDWIN A. HALSEY,

Secretary.

Union Calendar No. 399

78TH CONGRESS
 2d Session

S. 1647

[Report No. 1210]

AN ACT

To amend the Act approved March 2, 1895, as amended.

FEBRUARY 18, 1944

Referred to the Committee on Naval Affairs

MARCH 1, 1944

Reported with an amendment, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed

tion to accept, receive, hold, administer, and expend gifts and bequests of personal property, from individuals or others, for the benefit of, or for use in connection with, the United States Naval Academy.

Sec. 2. Gifts or bequests of money or the proceeds from sales of other property received as gifts shall be deposited in the Treasury of the United States under the title "United States Naval Academy general gift fund," and any funds so deposited shall be subject to disbursement by the Secretary of the Navy for the benefit or use of the United States Naval Academy subject to the terms and conditions of the acceptance of any particular gift or bequest.

Sec. 3. Gifts and bequests accepted by the Secretary of the Navy under authority of this act shall be exempt from all Federal taxes.

Sec. 4. The Secretary of the Treasury is authorized, upon request of the Secretary of the Navy, to invest, reinvest, or retain investments of the money or securities composing the United States Naval Academy general gift fund, or any part thereof, deposited in the Treasury pursuant to section 2 of this act, in securities of the United States Government or in securities guaranteed as to principal and interest by the United States Government. The interest and profits accruing from such securities may be deposited to the credit of the United States Naval Academy general gift fund, and will be available for disbursement as provided in section 2 of this act.

Mr. KEAN. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEAN: Page 2, line 6, strike out section 3 and insert a new section 3, as follows:

"For the purpose of Federal income, estate, and gift taxes, gifts and bequests accepted by the Secretary of the Navy under the authority of this act shall be deemed to be gift or bequest to or for the use of the United States."

The amendment was agreed to, and the bill, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ACT APPROVED MARCH 2, 1895, AS AMENDED

The Clerk called the next bill, S. 1647, to amend the act approved March 2, 1895, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act of Congress approved March 2, 1895 (28 Stat. 807), as amended by an act approved March 8, 1928 (45 Stat. 247), is further amended by inserting in the third line of the proviso as it appears on page 247 of volume 45 of the United States Statutes at Large, after the word "employees" the following: "and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

With the following committee amendment:

Strike out all of the bill after the word "following:" in line 8 and substitute therefor the following: "officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PROVIDE TITLES FOR HEADS OF STAFF DEPARTMENTS OF THE UNITED STATES MARINE CORPS

The Clerk called the next bill, S. 1653, to provide titles for the heads of staff departments of the United States Marine Corps, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That hereafter officers serving as heads of the Paymaster's Department and the Quartermaster's Department of the United States Marine Corps shall have the title of "The Paymaster General of the Marine Corps" and "The Quartermaster General of the Marine Corps", respectively.

Sec. 2. All laws or parts of laws now in force relating to the staff departments of the United States Marine Corps, except as provided in section 1 of this act, shall remain in full force and effect.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 9 OF THE PAY READJUSTMENT ACT OF 1942

The Clerk called the next bill, H. R. 1675, to amend section 9 of the Pay Readjustment Act of 1942 (Public Law 607) by providing for the computation of double-time credits awarded between 1898 and 1912 in determining retired pay.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

TO ELIMINATE A PAY DISCRIMINATION AGAINST THE TEACHER OF MUSIC AT THE UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, H. R. 3943, to eliminate a pay discrimination against the teacher of music at the United States Military Academy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill be substituted for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the Senate bill (S. 1635), as follows:

Be it enacted, etc., That the act entitled "An act to make better provision for the teacher of music, the leader of the Military Academy Band," approved May 27, 1940 (54 Stat. 223), is amended by striking out the words "third pay period," wherever they occur in such act, and inserting in lieu thereof the words "grade of captain."

The bill was ordered to be read a third time, was read a third time, and passed,

and a motion to reconsider was laid on the table.

A similar bill (H. R. 3943) was laid on the table.

TO CODIFY AND ENACT INTO ABSOLUTE LAW, TITLE 1 OF THE UNITED STATES CODE, ENTITLED "GENERAL PROVISIONS"

The Clerk called the next bill, H. R. 2040, to codify and enact into absolute law title 1 of the United States Code, entitled "General Provisions."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PRIEST. Mr. Speaker, reserving the right to object, and I shall not object, I understand this bill and three other bills on the consent calendar today are from the Committee on Revision of the Laws previously passed the House. They are codification bills and do not propose to enact any new substantive law. The gentleman from Texas is present and is familiar with that. I would like to yield to him for a brief statement.

Mr. GOSSETT. Mr. Speaker, this bill does exactly what the title states. It is a bill to codify and reenact into positive law title 1 of the United States Code entitled "General Provisions." It makes no change whatsoever in any substantive law. A bill identical with this bill passed the Seventy-seventh Congress and the Senate failed to act on it. The bill was reintroduced and has been again reported unanimously from the Committee on Revision of the Laws. The importance of this and similar bills was explained by Chairman EUGENE KEOGH of the Revision of the Laws Committee at the time of the original passage of this bill in the Seventy-seventh Congress.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. COLE of New York. Will the gentleman from Texas advise the House what steps were taken by the committee to make certain that whatever provisions of existing substantive law may have been dropped by this codification, should have been dropped? In other words, that this codification is an exact reenactment of existing law? How particular was the committee?

Mr. GOSSETT. Mr. Speaker, this bill was carefully gone over by several of the leading lawbook companies, and also by an expert employed by the committee. Every precaution was taken to make sure that no substantive provisions were changed in any particular, or deleted.

Mr. COLE of New York. Has the committee's own staff checked to make sure that the findings of the lawbook publishing companies have been correct?

Mr. GOSSETT. Yes; the committee has carefully checked these bills.

Mr. PRIEST. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title I of the United States Code entitled "General Provisions," is codified and enacted into absolute law as follows:

"TITLE I—GENERAL PROVISIONS

"Chap.	Sec.
"1. Rules of construction-----	1
"2. Acts and resolutions; formalities of enactment; repeals; sealing of instruments-----	101
"3. Code of Laws of United States and Supplements; District of Columbia Code and Supplements----	201

"CHAPTER 1—RULES OF CONSTRUCTION

- "Sec. 1. Words denoting number, gender, etc.
 "Sec. 2. 'County' as including 'parish,' etc.
 "Sec. 3. 'Vessel' as including all means of water transportation.
 "Sec. 4. 'Vehicle' as including all means of land transportation.
 "Sec. 5. 'Company' or 'association' as including successors and assigns.
 "Sec. 6. Limitation of term 'products of American fisheries.'

"Words denoting number, gender, and so forth

"Section 1. In determining the meaning of any Act or resolution of Congress words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words 'insane person' and 'lunatic' shall include every idiot, non compos, lunatic, and insane person; the word 'person' may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an 'oath' shall be deemed complied with by making affirmation in judicial form.

"'County' as including 'parish,' and so forth

"Sec. 2. The word 'county' includes a parish, or any other equivalent subdivision of a State or Territory of the United States.

"'Vessel' as including all means of water transportation

"Sec. 3. The word 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

"'Vehicle' as including all means of land transportation

"Sec. 4. The word 'vehicle' includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land.

"'Company' or 'association' as including successors and assigns

"Sec. 5. The word 'company' or 'association,' when used in reference to a corporation, shall be deemed to embrace the words 'successors and assigns of such company or association,' in like manner as if these last-named words, or words of similar import, were expressed.

"Limitation of term 'products of American fisheries'

"Sec. 6. Wherever, in the statutes of the United States or in the rulings, regulations, or interpretations of various administrative bureaus and agencies of the United States there appears or may appear the term 'products of American fisheries' said term shall not include fresh or frozen fish fillets, fresh or frozen fish steaks, or fresh or frozen slices of fish substantially free of bone (including any of the foregoing divided into sections), produced in a foreign country or its territorial waters, in whole or in part with the use of the labor of persons who are not residents of the United States.

"CHAPTER 2—ACTS AND RESOLUTIONS; FORMALITIES OF ENACTMENT; REPEALS; SEALING OF INSTRUMENTS

- "Sec. 101. Enacting clause.
 "Sec. 102. Resolving clause.
 "Sec. 103. Enacting or resolving words after first section.
 "Sec. 104. Numbering of sections; single proposition.
 "Sec. 105. Title of appropriation acts.
 "Sec. 106. Printing bills and joint resolutions.
 "Sec. 107. Parchment or paper for printing enrolled bills or resolutions.
 "Sec. 108. Repeal of repealing act.
 "Sec. 109. Repeal of statutes as affecting existing liabilities.
 "Sec. 110. Saving clause of Revised Statutes.
 "Sec. 111. Repeals as evidence of prior effectiveness.
 "Sec. 112. Statutes at Large; contents; admissibility in evidence.
 "Sec. 113. 'Little and Brown's' edition of laws and treaties; admissibility in evidence.
 "Sec. 114. Sealing of instruments.

"Enacting clause

"Sec. 101. The enacting clause of all acts of Congress shall be in the following form: 'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.'

"Resolving clause

"Sec. 102. The resolving clause of all joint resolutions shall be in the following form: 'Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.'

"Enacting or resolving words after first section

"Sec. 103. No enacting or resolving words shall be used in any section of an act or resolution of Congress except in the first.

"Numbering of sections; single proposition

"Sec. 104. Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment.

"Title of appropriation acts

"Sec. 105. The style and title of all acts making appropriations for the support of Government shall be as follows: 'An act making appropriations (here insert the object) for the year ending June 30 (here insert the calendar year).'

"Printing bills and joint resolutions

"Sec. 106. Every bill or joint resolution in each House of Congress shall, when such bill or resolution passes either House, be printed, and such printed copy shall be called the engrossed bill or resolution as the case may be. Said engrossed bill or resolution shall be signed by the Clerk of the House or the Secretary of the Senate, and shall be sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk or Secretary. When such bill, or joint resolution shall have passed both Houses, it shall be printed and shall then be called the enrolled bill, or joint resolution, as the case may be, and shall be signed by the presiding officers of both Houses and sent to the President of the United States. During the last of a session such engrossing and enrolling of bills and joint resolutions may be done otherwise than as above prescribed, upon the order of Congress by concurrent resolution.

"Parchment or paper for printing enrolled bills or resolutions

"Sec. 107. Enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing.

"Repeal of repealing act

"Sec. 108. Whenever an act is repealed, which repealed a former act, such former act

shall not thereby be revived, unless it shall be expressly so provided.

"Repeal of statutes as affecting existing liabilities

"Sec. 109. The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

"Saving clause of revised statutes

"Sec. 110. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in the Revised Statutes and covered by the repeal contained therein, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

"Repeals as evidence of prior effectiveness

"Sec. 111. No inference shall be raised by the enactment of the act of March 3, 1933 (ch. 202, 47 Stat. 1431), that the sections of the Revised Statutes repealed by such act were in force or effect at the time of such enactment: *Provided, however,* That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

"Statutes at large; contents; admissibility in evidence

"Sec. 112. The Secretary of State shall cause to be compiled, edited, indexed, and published, the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all treaties to which the United States is a party that have been proclaimed since the date of the adjournment of the regular session of Congress next preceding; all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, since that date; all proclamations by the President in the numbered series issued since that date; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Secretary of State issued in compliance with the provision contained in section 160 of title 5. In the event of an extra session of Congress, the Secretary of State shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

"Little and Brown's edition of laws and treaties; admissibility in evidence

"Sec. 113. The edition of the laws and treaties of the United States, published by Little and Brown, shall be competent evidence of the several public and private acts of Congress, and of the several treaties therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public officers of the United States, and of the several States, without any further proof or authentication thereof.

Aiken	Eastland	Reed
Andrews	George	Revercomb
Austin	Gerry	Robertson
Bailey	Gillette	Russell
Ball	Hawkes	Shipstead
Bankhead	Hayden	Smith
Barkley	Hill	Stewart
Bone	Holman	Thomas, Idaho
Brewster	Johnson, Colo.	Thomas, Utah
Bridges	La Follette	Tunnell
Buck	Langer	Tydings
Burton	McCarran	Vandenberg
Bushfield	McClellan	Wagner
Butler	McFarland	Walsh, Mass.
Byrd	McKellar	Weeks
Capper	Maloney	Wheeler
Chandler	Maybank	Wherry
Clark, Mo.	Mead	White
Connally	Millikin	Wiley
Danaher	O'Mahoney	Willis
Davis	Overton	Wilson
Downey	Radcliffe	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present.

The question is on agreeing to the committee amendment beginning in line 9, on page 2.

Mr. AIKEN. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. HAYDEN (when his name was called). I have a general pair with the Senator from North Dakota [Mr. NYE]. If the Senator from North Dakota were present, he would vote as I intend to vote. Therefore, I am at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New Jersey [Mr. WALSH] is absent attending a funeral.

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Illinois [Mr. LUCAS], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business. I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] would vote "nay."

The Senator from New Mexico [Mr. HATCH], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program. I am advised that if present and voting, the Senator from New Mexico [Mr. HATCH], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] would vote "nay."

The Senator from Montana [Mr. MURRAY] is absent on official business for the Committee on Military Affairs.

The Senator from Idaho [Mr. CLARK], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent, I

am advised that if present and voting, the Senator from Idaho [Mr. CLARK] would vote "nay."

The Senator from Indiana [Mr. JACKSON] is absent on official business.

I also announce the following pairs: the Senator from New Jersey [Mr. WALSH] with the Senator from New Mexico [Mr. HATCH]; the Senator from Oklahoma [Mr. THOMAS] with the Senator from Indiana [Mr. JACKSON]; the Senator from Pennsylvania [Mr. GUFFEY] with the Senator from Illinois [Mr. BROOKS]; and the Senator from West Virginia [Mr. KILGORE] with the Senator from Louisiana [Mr. ELLENDER]. I am advised that if present and voting, the Senator from New Jersey, the Senator from Oklahoma, the Senator from Illinois, and the Senator from West Virginia would vote "yea," and that the Senator from New Mexico, the Senator from Indiana, the Senator from Pennsylvania, and the Senator from Louisiana would vote "nay."

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS] is necessarily absent. If present he would vote "yea." He is paired on this question with the Senator from Pennsylvania [Mr. GUFFEY], who would vote "nay."

The Senator from Oregon [Mr. CORDON], the Senator from South Dakota [Mr. GURNEY], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The Senator from Michigan [Mr. FERGUSON] is absent on work of the Truman committee.

The result was announced—yeas 39, nays 26, as follows:

YEAS—39

Bailey	Hayden	Robertson
Brewster	Holman	Russell
Bridges	Johnson, Colo.	Smith
Buck	McCarran	Thomas, Idaho
Bushfield	McClellan	Tydings
Byrd	McFarland	Vandenberg
Clark, Mo.	McKellar	Walsh, Mass.
Connally	Maloney	Weeks
Eastland	Maybank	Wherry
George	Millikin	White
Gerry	Overton	Wiley
Gillette	Reed	Willis
Hawkes	Revercomb	Wilson

NAYS—26

Aiken	Capper	O'Mahoney
Andrews	Chandler	Radcliffe
Austin	Danaher	Shipstead
Ball	Davis	Stewart
Bankhead	Downey	Thomas, Utah
Barkley	Hill	Tunnell
Bone	La Follette	Wagner
Burton	Langer	Wheeler
Butler	Mead	

NOT VOTING—31

Bilbo	Gurney	Pepper
Brooks	Hatch	Reynolds
Caraway	Jackson	Scrugham
Chavez	Johnson, Calif.	Taft
Clark, Idaho	Kilgore	Thomas, Okla.
Cordon	Lucas	Tobey
Ellender	Moore	Truman
Ferguson	Murdock	Wallgren
Glass	Murray	Walsh, N. J.
Green	Nye	
Guffey	O'Daniel	

So the amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment.

The CHIEF CLERK. On page 56, line 18—

Mr. LA FOLLETTE. Mr. President—

Mr. BARKLEY. Mr. President, there is a second amendment in the committee print which has not been disposed of.

The VICE PRESIDENT. The clerk will state the second amendment in the committee print.

The CHIEF CLERK. On page 2 of the committee print, line 15, after the word "and" it is proposed to insert "all."

The amendment was agreed to.

Mr. BARKLEY. Mr. President, in view of the fact that that amendment is hooked in with the one in lines 18 and 19, and also all the amendment in italics, and the striking out of lines 19 to 24, together with the inclusion of new language in lines 24 and 25 in the committee print, and in view of the fact that they are all linked together, I suggest that we vote on those amendments en bloc.

Mr. McKELLAR. They have already been voted on en bloc.

Mr. BARKLEY. I did not so understand.

Mr. McKELLAR. The then occupant of the chair held that they were all one amendment. As I understand, the clerk read them all.

The VICE PRESIDENT. The Senator from Tennessee is misinformed on that particular point.

Mr. BARKLEY. All these amendments involve the same question, and I think we might as well vote on them together.

Mr. McKELLAR. Very well.

The VICE PRESIDENT. Is there objection to voting on the amendments en bloc? The Chair hears none.

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BARKLEY. Mr. President, before the roll call begins, I should like to say to Senators that I hope—and I am sure I speak for the Senator from Tennessee [Mr. McKELLAR]—that we may dispose of this bill with as little delay as possible. It is desirable that we dispose of it, if possible, in time to take up the bill reported from the Finance Committee known as the "G. I. Bill of Rights." It is desirable that we recess until next Tuesday.

I might say for the benefit of Senators that the suggestion has been made by the Speaker of the House that beginning next Thursday, March 30, the Senate and House take a formal recess until the 12th of April. It is very necessary that the bill known as the "G. I. Bill of Rights" be passed by the Senate before any recess is taken. For that reason I hope Senators will facilitate the prompt disposition of the pending bill and all the amendments without unnecessary delay or debate.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. It is not only necessary that the bill be passed by the Senate but that we give sufficient opportunity for the House to act on it.

Mr. BARKLEY. That is what I meant to say.

Mr. MALONEY. Mr. President, I wish to be sure that I understood correctly. Did the majority leader say something about a recess beginning next Thursday?

Mr. BARKLEY. That is the proposal.

Mr. MALONEY. That is from the 30th of March.

Mr. BARKLEY. From the 30th of March to the 12th of April.

If I may supplement what I stated a moment ago, I hope the Senate will be willing, if necessary, to sit a little later tonight in order to accomplish this legislative program if possible.

Mr. CHANDLER. Mr. President, may the pending amendment be stated?

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 15, of the committee print, after the word "and", it is proposed to insert "all"; in line 17, after the numerals "1945", it is proposed to strike out "(subject to the provisions of section 26 of the Tennessee Valley Authority Act of 1933, as amended)" and insert "and subsequent fiscal years"; in line 19, after the word "covered", it is proposed to insert "quarterly"; and in the same line, after the word "into" it is proposed to strike out "and accounted for as one fund to be known as the Tennessee Valley Authority Fund, 1945, to remain available until June 30, 1945, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1944"; and insert "the general fund of the Treasury of the United States."

The VICE PRESIDENT. Without objection, the amendments will be voted upon en bloc. On this question the yeas and nays have been ordered and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HAYDEN (when his name was called). Making the same announcement as I made previously, I shall vote. I vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New Jersey [Mr. WALSH] is absent, attending a funeral.

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mr. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Illinois [Mr. LUCAS], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business. I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] would vote "nay."

The Senator from New Mexico [Mr. HATCH], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program. I am advised

that if present and voting, the Senator from New Mexico [Mr. HATCH], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] would vote "nay."

The Senator from Montana [Mr. MURRAY] is absent on official business for the Committee on Military Affairs.

The Senator from Idaho [Mr. CLARK], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent. I am advised that if present and voting, the Senator from Idaho [Mr. CLARK] would vote "nay."

The Senator from Indiana [Mr. JACKSON] is absent on official business.

I also announce the following pairs: The Senator from New Jersey [Mr. WALSH] with the Senator from New Mexico [Mr. HATCH]; the Senator from Oklahoma [Mr. THOMAS] with the Senator from Indiana [Mr. JACKSON]; the Senator from Pennsylvania [Mr. GUFFEY] with the Senator from Illinois [Mr. BROOKS]; and the Senator from West Virginia [Mr. KILGORE] with the Senator from Louisiana [Mr. ELLENDER]. I am advised that, if present and voting, the Senator from New Jersey, the Senator from Oklahoma, the Senator from Illinois, and the Senator from West Virginia would vote "yea," and that the Senator from New Mexico, the Senator from Indiana, the Senator from Pennsylvania, and the Senator from Louisiana would vote "nay."

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS] is necessarily absent. If present, he would vote "yea." He is paired on this question with the Senator from Pennsylvania [Mr. GUFFEY], who would vote "nay."

The Senator from Oregon [Mr. CORDON], the Senator from South Dakota [Mr. GURNEY], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The Senator from Michigan [Mr. FERGUSON] is absent on work of the Truman committee.

The result was announced—yeas 38, nays 26, as follows:

YEAS—38

Bailey	Hayden	Russell
Brewster	Holman	Smith
Bridges	Johnson, Colo.	Thomas, Idaho
Buck	McCarran	Tydings
Bushfield	McClellan	Vandenberg
Byrd	McFarland	Walsh, Mass.
Clark, Mo.	McKellar	Weeks
Connally	Maloney	Wherry
Eastland	Maybank	White
George	McIlkin	Wiley
Gerry	Reed	Willis
Gillette	Revercomb	Wilson
Hawkes	Robertson	

NAYS—26

Aiken	Capper	O'Mahoney
Andrews	Chandler	Radcliffe
Austin	Danaher	Shipstead
Ball	Davis	Stewart
Bankhead	Downey	Thomas, Utah
Barkley	Hill	Tunnell
Eone	La Follette	Wagner
Burton	Langer	Wheeler
Butler	Mead	

NOT VOTING—32

Bilbo	Gurney	Overton
Brooks	Hatch	Pepper
Caraway	Jackson	Reynolds
Chavez	Johnson, Calif.	Scrugham
Clark, Idaho	Kilgore	Taft
Cordon	Lucas	Thomas, Okla.
Ellender	Moore	Tobey
Ferguson	Murdock	Truman
Glass	Murray	Wallgren
Green	Nye	Walsh, N. J.
Guffey	O'Daniel	

So the amendments were agreed to.

Mr. McKELLAR. Mr. President, I move that the vote by which the amendments were agreed to be reconsidered.

Mr. TYDINGS. I move to lay on the table the motion of the Senator from Tennessee.

The motion to lay on the table was agreed to.

ACCEPTANCE OF GIFTS AND BEQUESTS FOR THE NAVAL ACADEMY

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1640) to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes, which was, on page 2, to strike out lines 6 to 8, inclusive, and insert:

SEC. 3. For the purpose of Federal income, estate and gift taxes, gifts and bequests accepted by the Secretary of the Navy under authority of this act shall be deemed to be a gift or bequest to or for the use of the United States.

Mr. WALSH of Massachusetts. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

AMENDMENT OF THE ACT OF MARCH 2, 1895

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1647) to amend the act approved March 2, 1895, as amended, which was, in line 8 to strike out all after "following:" down to and including "Guard." and insert: "officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

Mr. WALSH of Massachusetts. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 2212. An act for the relief of Clarence Waverly Morgan;

H. R. 2743. An act for the relief of Mrs. Marie Geiler;

H. R. 2925. An act for the relief of Charles J. Goff, as administrator of the estate of Judson E. Goff, deceased;

H. R. 3157. An act for the relief of Lloyd L. Johnson and P. B. Hume; and

H. J. Res. 192. Joint resolution to enable the United States to participate in the work of the United Nations relief and rehabilitation organization.

[PUBLIC LAW 275—78TH CONGRESS]

[CHAPTER 148—2D SESSION]

[S. 1647]

AN ACT

To amend the Act approved March 2, 1895, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of Congress approved March 2, 1895 (28 Stat. 807), as amended by an Act approved March 8, 1928 (45 Stat. 247), is further amended by inserting in the third line of the proviso as it appears on page 247 of volume 45 of the United States Statutes at Large, after the word "employees" the following: "officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

Approved March 31, 1944.

